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1323 [old Board of Trade, Virginia. 20]

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(Containing papers dated 1732-1735 and one dated 1724)

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION OF THE PARLIAMENTS OF GREAT BRITAIN
London June y^e 27th 1732. ^[P. 31]

Dread Sovereign

I had lived so many years in Virginia that I had lost both y^e hopes and desire of ever returning to my own country till y^e 6th of Jan^y last Riding in Company wth one Capt^t John Eliott he ask'd me whether Major^s Fitzhugh's Copper Mine was as Valuable as reported and if I thought the Major was gon to England with a design to sell it or take in partners I told him tho I lived in the family I knew not on what Acco^t the Major went home but y^e I had bin credably inform'd the Mine was so good that two of the biggest ships that ever come to Virginia might be loaded with the Ore that lay upon the surface of the Earth and y^e since the Major went there had bin four Shows more found out more then he knew of why then ^(quite clear) said he they may even live of making Tobac^o in Stafford and Prince William for I have bin told of six more in those two Countys and the fresher of Potomock beside that which belongs to the Bristol Company in Rappahanock and I am of opinion of Judgment ^{if more} were sent here in search of Gould and Silver this is as Rich a country as any in the World for tis but two nights ago a Doctor lay all my house who is now

in posession of a silver mine and the way he came
to the knowledge of it was thus an Old Dutchman
being sick sent for this Doct^r who in a short time
with gods assistance restored him to health for
which he gave him twenty pistoles saying this
this is a larger some then you expect I Love
you and will soon make you Master of more
then you can possibly wish for not long after
being on his Death bed he discover'd to him this
Immence Treasure the Doct^r communicates his good
fortune to a friend of his who was an Ingenious
Chimnist and offer'd him a part but they not
being able to purchous the Land it was upon took
in two Gentlemen of Very great Estates who all a
agreed to go privetly to the place which being a
considerable distance from where they lived they
ware gon above a fortnight Rid some miles
beyond the place and went in in the Night for
fear of mistrust where having staid some time
to make trial of the Mine finding it Rich beyond
expectation they returned well pleas'd sent the
Doctor in a disguis and gave him six hundred Pis.
toles to buy the land which he accomplish'd
for I saw the writings.

Having had this Relation from Cap^t Eliott
I resolv'd if I cold find out the persons concern'd

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DEPARTMENT OF THE PARLIAMENTS

to go for England with the first ship for he had heard but the name of one Gentleman and protested he did not know the Doct. nor any of the Rest on this Ocasion, I stay'd att Col: Smiths and in that Neighbourhood till the second of Febr^y in which time I inform'd myself that there was six gentlemen concern'd in this affair five of which I know their Names but the sixth could never darne the Doct^r is head and being single has left of his practice and is adow'd a hundred a year extraordinary by the Rest to Ride backward and forward on that account they intended to open it this summer and work it under couler of a Lead mine being thus far satisfied I got the Col: to take my pasage in a small Vessel ^(P. 3) bound for Severpool for fear of being mistrusted if I went in a London ship I was about six week upon the pasage and arrived att Severpool the first Instant where I waited nine Day for a pasage to London was twelve on the on the Road and came last wednesday to town having bin almost two and twenty Years out of England where I am come with as sincere an Intention of being servisable to your Majesties as any subject in all your Royal Dominions I therefore humbly beg yo^r Royal Majesty will favourably accept my good will

and be compassionately pleas'd to pardon the
meanness of my stile and writing who am
with the strictest Obedience and Duty that
a poor Mortal is capable of Madam Yo^r Majesties

Most Devoted faithful

Serv^t and Loyal

Subject

Anne Jones

all I have writt I am willing to
atist upon my oath and if it be
Your Majesties most gracious pleasur
to command me back am willing
to return and expose my Life to
make good what I have Reported
to any person or persons your Ma-
jesty shall think fitt to send with me.

^{Dr} Endorsed. June 27th 1732. / W^{rs} Jones. /
about a Discovery of / some Mines in Virginia.

Observation of J. S. Spragell

They say that the Royall Mines belongs to the King. which is the reason, that the People in America do not care to discover any, neither will the Indians do it, they say, it will kindle a War, if they are discovered, and it is known by experience, that if any body agrees with one particular Indian, to discover such a place they presently threaten to kill him. Now that there is a great deal of Qar in America, who not only see by the Spaniards to their greatest Advantage, but is likewise known by experience, that in the Northern part of America all Manner of Qar is found, especially Copper Qar very rich and which some upon the Trippl yielded 19 Gran of Gold out of 1/2 Cuntz of Copper, and the more Southward, the richer the Qar is. Now since the Crown hath purchased South Carolina, which being the Nearest to New Spain let send a Skillfull men over to search the Country and likewise granted in Generall to the Inhabitants in America, to enjoy the benefit of such mines for certain term of years paying hereafter so much to the Crown as the Crown should think fitt, it is for certain, there would be in a short time very rich mines discovered, to the benefit of Great Brittain as well as America, and the Spaniards might hang themselves

for their Money for the future.

For it is to be considered, that such large
bounties, which belong to the Crown and Daily
increase, cannot subsist without some sort of Boy, and to obtain such made Englishmen fight in
the last wars, and encroach upon all trade,
which is in such times allowed, and which
was our condition last War, ~~whereby the Kings~~
~~Plantations~~, whereby the Kings Plantations became
plenty of money, even so, that they could send
in every ship that returned home for England
large quantities of Cash and plate, which made
Trade flourish. But since the Peace was concluded,
[P. 96] the base is altered, the Spaniards did not only
take those ships, that would follow their usual
trade but made all English ships alike, whereby
(not to mention the great losses:) the English
Plantations became bare of money that they not
only could send ~~as~~ more Cash to England,
but were likewise forced to make shift with
paper Money among themselves, which makes their
credit sink, and consequently Trade decay, at
home and abroad, for returns, they cannot make
according to their Want, Sugar, Rice, Tobacco &
a shipload of no great value, and therefore the
ships must almost all of them return empty

to America, where formerly they were used to carry more manufactory from England.

In short our former Enemies, have by long experience at last learned so much, that they can hurt the English Nation more in peace then War, and it is to be believed, that they do not desire to come to an open war so soon again with Great Britain.

But should his Maj^{ty} give Encouragement as mentioned before, and send likewise over to search the Country, which might be done without great Charges, it is no Doubt but Tradesmen in England would soon reap a great benefit in Augmenting their Trade, British Plantations flourish, the Crown enrich themselves, whereby the Subjects in England might be eased of their heavy taxes, and our Enemies in their design frustrated.

By the way it may be observed, that by an Act of Parliament, the Inhabitants of America (who being Englishmen and English Subjects:) must not import their Iron in Bars, but Piggs, but the Swedes who being foreigners are allowed, to bring it in Bars, or Cast, so as they please. Whereas the former take nothing but Manufactory from hence, and the latter who pay in money, they having manufactury in their own

Country, which is a Very good encouragement for foreigners, but a very poor one to English Subjects.

(1777)

A.

I have always Observed, that the People, who transports themselves, generally take more delight to live upon a Plantation rather than to follow their Usual Trade, whereby they are sure of their Maintenance, and what they raise more by their Industry, they sell for such Commodities as their necessity requires, but being forced to give themselves to their Trade, find themselves and family to maintain with more difficulty, because that there is no cash amongst them, which creates Quarrels, and the multitude of Law Suits amongst them, so that they suffer as much hardship in erecting Manufactory, as we do in England to loose them.

B.

Had the Plantations the same liberty as foreigners they would send 1000. Ton of Iron for England, where they do now send 100 Ton, and consequently would carry in goods from hence again £12000: instead of £600

C.

That the Crown of England had allways reserved the Royall Mines, is, I suppose with that Intend, that the Nation in generall may reap the Benefit thereof, for the King of Great Brittain is allways look'd upon to be to his Subjects as

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAM. PAPERS
a father to his Children, But since there was
never found a Royall Mine in England answerable,
that good intent could have no Effect, and if
this reservation must extend itself to the Ameri-
can Plantations, where there are actually Royall
Mines, and that his Maj^{ty} do not improve them,
nor give the Subjects Encouragement to improve, then
the Nation will reap no more benefit of that
which they have, as of that which they have
not, which is against that good Intent the Crown
reserved for, and therefore deserves a serious
consideration.

D In this late Maj^{ty} Reign it hath been
tempted to trade to his German Dominions, but
it was the Misfortune, that / it was just begun ^[p. 332]
about the time, when that great Trouble with
the South Sea Company happened, which spoild
all, and I do believe, that it was not upon a
good foundation neither, nor never will be, till
the Regency of Hanover give all the Encourag-
ment Imaginable till Doomsday except his Maj^{ty}
gives a Command to his Envoy at Hambrow, to be
likewise Envoy at his German Dominions and at
once Commands the Regency of Hannover or the
Magistrates of such Navigable Places, to assist
his Maj^{ty} Envoy, when Occasion requires, to that

Englishmen with their Ships and Effects may be under the Protection of their own Sovereign, as it is usual in Hambrow and in other Countries, that one Command would Employ 20. or 30 Ships more in a short time, English Subjects no more exposed, and we should pierce more in the Empire with our wollen Manufacture and the Hollanders would be prevented in underselling us not to mention other Advantages accruing thereby.

JBB

129 240

[Two following pages blank]

Continuation of J. S. Sprogell

(p. 34)

That the Trade for want of Encouragement since the last war decays is mentioned before, and it is worth further to consider, That Necessity forces the Plantations, if they will not go naked and starve, to erect Manufacturys among themselves (H.) Witnesseth already New England, New York, East and West New Jersey, Pennsylvania, and likewise begins in Maryland & Virginia, where the Government now gives great Encouragement, Indeed they have before Endeavoured and tryed, to make more returns, besides their country Produce, in erecting Iron Workes, but as observed before, will not answer for want of due Encouragement, for they can sell their Iron for no more then £5: a £6 per Ton, while foreigners sell at £12: a £14: per ton B. but if duly encouraged, they would never fall so much upon Manufacturys, and Trade & Navigation would Daily increase according as those Countries daily do increase. for as long as the Plantations could send back and Plate for returns besides their country produce, there was not so much complaint of our Manufacturys Especially the Wollen as at present, although the Trade of the same was stopd to Moscow and the King of Prussian Dominions which be-

ing both of a large extent, besides what the Hollanders
dit and still do in undermining and underselling us
in the Roman Empire, and which I believe is the reason
that it was not very much minded. But if we must
now remain under such circumstances, and be cut
of in all parts of the world, the Nation must, not-
withstanding all Negotiations and Treaties bringing Em-
powerish, and instead of exceeding in War time other
Nations, in Honour, Strength, and Wealth, become in
exceeding them the contrary in Peaceable times, and
for want of Employ grow more factious than the Po-
[p 305] landers, and what is worse, having the liberty of
the Press, become drunk, and uncover ourselves before
the whole world, at sight of which, all the Nations
round about us, become very willing to keep the Peace
with us, and in the mean while increase themselves
as fast they can in Trade & Navigation, as we see
before our Eyes, and make us Slaves for them to,
being well assured, to obtain their Ends at last in
Peace which never could be obtained in all the
Wars before.

But since the Tranquility of the Nation
depends of a flourishing Trade and Navigation, as
well in Peace, as in War, and having our
self Ways and means to obtain and maintain
such. If then therefore His Maj^y would be

graciously pleased. serious to consider, those circum-
stances we are under. and. 1. Especially concern-
ing the Plantations. (6:) and the vast Treasure
that lay hid in those Parts, hitherto to no bodys
service, and would be pleased to give Encouragment,
as observed before, which is altogether in His Maj^{ty}
Royall Breast, this alone would make the Nation
happy, and cure the Malady. (2.) His Majesty may
notwithstanding endeavour, that the Trade with
Moscow may be restored, which seems no so un-
likely to be done. and (3.) that the Trade with
the King of Prussian Dominions may be opened
again, which we might have had severall years
ago, and still may have, notwithstanding the
Difference. and. (4.) if also His Maj^{ty} would be
pleased, to give Encouragment for Trade and Navi-
gation to his German Dominions, which is also
wholly in His Maj^{ty} Royall Breast thereby we
should be enabled, to employ more ships, and
to sell our Wollen Manufactory in the Roman
Empire as cheap, as the Hollanders, and (: as
the Arnswick Merchants say themselves, if the
King of Great Brittain / would but Encourage)
they would never buy Dutch Goods because English
Woll is better, of which two latter articles I can
give a particular account of, if required (D)

If these four points obtained, then the Nation would flourish as well in Peace, as in War, the Treasures abroad would be no more Detrimentall nor burthensom, and the factions would cease, at least being employed, all occasion & opportunitys removed, to blamour against the Government & Ministry, and the Unity with the whole Nation would not only preserve and maintain but also Effectually increase, that Honour, Strength, and Wealth, which was obtained in all the Wars before.

[p. 467]

Endorsed.

Virginia | Trade

Some Observations of M^r. Spragell relating to Mines, in the propos'd Settlement of M^r. Stauber behind the blue Mountains in Virginia & to Trade in general.

Recd Oct^r 21: } 1731

Read September 17: 1735.

S. 50

on Ag^{no}

[P 12-71]

Port An Acco^t of the Number of Negroes import^d into this District from the Coast of Africa between Apr²⁵ 1731 & Oct²⁵ following

Time of Entry	Vessels Names	Of What Place	Masters Names	Number of Negroes imported	
				By y ^e Africa Company	By Private Traders
July 1 st	Jamaica	Bristol	Tho ^s Duke	Nil	130
					Ch ^r Barber M ^{op}

[P 76]
Endorsed.

Virginia
Acco^t of Negroes
and Madera Wine
Imported into Virginia
from 25 April to 25 Oct²⁵
1731

Rec^d
Read Sep: 12th } 1732

S: $\frac{9}{10}$

NB. The other districts were
were returned Nil so this is
supposed to be all that was Imported

S: 10th 111

To the Right Honourable the Lords Commissioners
of
Trade and Plantations

As y^r L^{ds} S^{ts} were pleas'd to appoint the 1st of February last for a hearing att y^r Board, of the objections which the Lords Baltimore, Fairfax, and the Proprietors of Pensilvania, had to form against the Settlement beyond the Mountains of Virginy, It will be judg'd equitable by Y^r L^{ds} S^{ts} wisdom to admit also an answer to their Complaints which were elevated to a high degree: The Petitioners sincerely declare that they had not the least Intention to deprive the Complainant^s of a hands breadth of Land Comprehended in their Grants, which had been neither honest nor just, and though for brevity sake the Petition was in General Terms for the wast. land lying behind the sayd Mountains, yet when delivered it was accompany'd with a Map Impartially drawn according to the best Information of Persons that have seen and examin'd the situation of the land and Rivers, in which map they particularly avoyded, to Come near the Borders of the 2 Lords Proprietors and as the Petitioners have judg'd that the district of Pensilvania did reach farthest westwards, they took care to allowe the full length thereof, and to Petition only for that land which lay beyond their Limits westward; It will

be therefore proper to give a true Information of every Particular of the Sayd Lords Proprietors Limits Westwards.

1. Pensilvania hath for Limits on the East the River De la Ware from the 40th to the 45th degree of North Latitude doth 3 degrees from South to North the breadth, makes by the Common Calculation 180 Miles, the length thereof is to go in the 40th degree from the De la Ware River in a direct straight line westwards 5 Degrees of longitude, which counted at 45 Miles a degree doth 225 Miles for the South Limits, the North Limits are the same in a straight Parallel Line, which makes an oblong Square of 225 Miles long and 180 Miles broad, ^(P. 22) the length of this tract is requir'd to be measur'd there being no marks for the West Boundaries, it is commonly computed from the De la Ware, to Sasquahannaugh River 80 Miles, from the same to Patowmack River 100 Miles, it requires then that the Limits of Pensilvania go 45 Miles beyond Patowmack River to make up the 225 Miles this length being measur'd out exactly and the Limits mark'd, the Proprietors thereof have no reason to make objection against what is beyond the same, but it belongs to the Crown without any dispute to dispose thereof; this was the Intention of the Petitioners

to desire the measuring of Pennsylvania, that no complaint
could be made; which are therefore found without reason,
or just cause.

2. The North Limits of My Lord Baltimore as in the
Grant is distinctly mention'd are to begin at the De
la Ware Bay or River, in the 40th Degree of North La-
titude and to extend in a direct line of the said
Degree to the first spring on first branch of Patomak
River, thence to go South and South East along the
Banks of the said River to Chesapeake Bay which
makes the west and South border of Maryland on the
west side of the said Bay, that this is the true mean-
ing in the Grant for the North borders of Maryland
to go in a straight line westwards in the 40th Degree
from the De la Ware to Patomak River, is confirmed
by the Grant of Pennsylvania which is likewise to
begin for his South border in the 40th Degree and
is to extend from the De la Ware River in a
direct line of the said degree westwards 5 De-
grees of Longitude which will reach beyond Patomak
River: It is observable that the Grant of Pennsylvania
being of later date, hath been regulated to be con-
formable to the Limits of Maryland, both joining and
going westwards in the 40th degree in a straight regular
line to Patomak River. The Grant of My Lord Baltimore
doth not mention that when in a direct line of the

40th degree it meets the first Spring of Patowmack River, that it was to go thence Northwards towards the Source of that River, but it is expressly said, that from that straight line the Limits are to turn Southwards along the Banks of the same River unto his exit in Chesapeake Bay. the Solidity of these reasons are humbly submitted to His L^d & His Wise Judgment.

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12: The Grant of the L^d Colepeper in the 1st of H. J. the second, but now the L^d Fairfax Concerning the Limits thereof it is expressed; that all that Tract, Territory, or Parcel of Land situate, Lying and being in Virginia in America, and bounded by and within the first heads or Springs of the Rivers Rappahanock, and Patowmack, and so going down to Chesapeake Bay are to be comprehended in that Grant.

The head Spring of Rappahanock takes its Source in the Appalachian Mountains, the first Spring of Patowmack on the South Side of that River is Shanantoe River which takes its Course North East through the Sayd Mountains, and falls into Patowmack River; Now the Grant Mentions that the Bounds are to be confin'd within the heads or Springs of the 2 Sayd Rivers, the Limits can go no further on the South Side then Rappahanock River, and on the North Side to the first Spring

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of Patowmack River, which is Shanantoe River, and to go along the same Southwestwards so far as the head of the first spring of Rappahanock River, therefore where the last River begins the limits do cease, as it is plainly expressed, that the bounds are to be within the heads or springs of the two sayd' Rivers, now as Shanantoe River begins his source South West a great way beyond Rappahanock River it is against the express words of the Grant, to claim a Right to the source of Shanantoe River, since the limits are not to be bound by one but by both Rivers, where therefore the one ceases, the bounds must consequently also cease, for to go beyond Rappahanock River, there would be no bounds more for the South Side and therefore new Bounds were to be sett, of all which there is no mention made in the Grant.

This is the sentiment of the People in America about the Limits of these L^{ds} Proprietors who are acquainted with the Grants, and the true situation of the Land, if any of the sayd' Lords pretend to any further extend then here impartially is explained, the true meaning of their own Grants will contradict it, and it would cause great confusion, when one Proprietor would claim what is Granted to another.

[1732] Endorsed. Virginia. / An Explanation of the Grants /
about their West Limits of the Lords / Propts in
Virginia Maryland and / Pensilvania. /
recd from Mr. Ochs / Read _____ } 1732. / S:10 ~ / 12.
Read Septemb^r 13



At the Council Chamber Whitehall

the 25th day of July 1733

By the Right Honourable
the Lords of the Committee of
Council for Plantation Affairs—

His Majesty having been pleased by His
Order in Council of the 19th of this Instant to
refer unto this Committee the humble Petition
of Thomas Lord Fairfax, praying that His Majesty
will be pleased to Order a Commission to issue
for running out, Marking and ascertaining the
Bounds of the Petitioners District of Land in the
Province of Virginia, agreeable to the Description
thereof, as expressed and contained in the Grants
thereof from the Crown. And that His Majesty
will be pleased to cause such a Number of Com-
missioners to be named for that purpose in
behalf of the Province of Virginia as shall be
thought proper, to be joyned with an equal
Number of Commissioners on the Petitioners behalf
and that a reasonable time may be limited
within which the said Boundaries are to be
ascertained:— But in case the same shall not
be effected within the time to be so limited,
that then the Petitioner may be heard by
his Counsel thereupon, and such Determination

made concerning the same as to His Majesty shall seem meet, and that in the mean time the Governor of Virginia may be restrained from making any Grant of Lands lying within the Boundaries insisted on by the Petitioner; — The Lords of the Committee this day took the same into their Consideration, and are hereby pleased to refer the said Petition (a Copy whereof is herewith annexed) to the Lords Commissioners for Trade and Plantations to consider thereof, and Report their Opinion thereupon to this Committee.

W. Sharpe.

^[242]
Endorsed. Virginia / Order of the Committee /
referring to the Board, a Mem^e / from L^d Fairfax
desiring that / Commiss^{rs} may be appointed to / settle
the Bounds of his Lands / in Virginia. /
Read July 26: } 1733. / S: 20 — / 20.
Read Sept: 26: }

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, PARLIAMENTARY OFFICE
[1553]
To the Kings most Excellent Majesty
in Council

The humble Petition of Thomas Lord
Fairfax -

Sheweth

That your Petitioner and his Ancestors by Letters Patent under the Crown made by King Charles the second the eighth of May in the one and Twentieth Year of his Reign and by King James the second the Twenty Seventh of September in the fourth Year of his Reign is and have been entitled to the Fee Simple and Inheritance of all that entire Tract of Territory or parcel of Land situate in Virginia in America and bounded by and within the first heads and Spring of the Rivers of Tappahannock alias Rappahannock and Quincough alias Patowomeck Rivers the Courses of the said Rivers from their said first heads or Springs as they are commonly called and known by the Inhabitants and Descriptions of those parts and the Bay of Chesapeake together with the said Rivers themselves and all the Islands within the Outermost Banks thereof and the Soil of all and singular the premisses and all Lands woods Underwoods Timber Waters Rivers Havens Ports Harbours

breaks Ferry's Advowson Royalties Hereditaments
and so forth whatsoever —

[p. 56]

| That the Crown by the said Grants
declared and Granted that the said Letters
Patents or the Enrollment thereof should be in
all things valid and Effectual in Law not-
withstanding the not describing and setting
forth or not Rightly or truly describing or
setting forth of the said Tract Territory or
parcell of Land or any other the premises
thereby granted or of the Buttings Boundary
or situations of the same or any other defect
omission nonreciteall misreciteall incertainty or
Insufficiency in the said Letters Patents —

That your Petitioner for many Years past
appointed Robert Carter of Virginia Esq. President
of Your Majesty's Council there your Petitioner's
Attorney and Agent to patent or Grant as much
of Your Petitioner's said Tract of Land as was un-
patented and to receive the Rents and Proffits
of Your Petitioner's said Estate and Generally to
manage and look after and improve the same
for your Petitioner's benefit.

That there have been diverse disputes
between Your Majesty's Governor and Council of
Your said Province of Virginia and Your Petitioner

and his said Agent Robert Carter as represent-
 ing your Petitioner touching the Boundary of
 your Petitioners said Tract of Land and the
 Governor and Council of Virginia have from
 time to time actually taken upon them to
 Issue grants of severall Parcels of Land. part
 of your Petitioners said Tract and have actually
 run out surveys of several other parcels of
 Land the same as your Petitioner apprehends
 and is advised are clearly within the Bounds
 of the Lands so granted from the Crown as
 aforesaid under which your Petitioner claims
 and your Petitioners right hereto the said
 Robt Carter your Petitioners Attorney and agent
 maintained and asserted is your Majestys said
 Govt and Council of Virginia—

That is lately as the Twentieth of
 July Last the Lords Commissioners for Trade
 and plantations in a Representation they
 made to her Majesty as Guardian of the
 Kingdom and his Majestys Lieut within the
 same by His Grace the Duke of Newcastle
 Principal Secretary of state on a Petition of
 Mr William Keith and others which had been
 referred to their Lordships praying a Grant of
 a certain Tract of Land lying westward of the

great Ridge of Mountains on the Back of Vir-
ginia Report that the Right Honble the
Lord Baltimore the Lord Proprietor of Mary-
land insisted the said Lands were includ-
ed within his patent That your Petitioner
also layd claim to the same as being
part of the said District of which he is
^(part) proprietor and that the Devisee of the late
W: Penn put in their claim thereto as ap-
pertaining to the province of Pennsylvania
therefore in order to clear up and ascertain
the Validity of the said Different pretensions
their Lordships proposed that Commissioners
might be appointed on the Part of the Pro-
vince of Virginia and likewise of the said
severall Claimants who should be properly
Authorized to settle and mark out the Bound-
aries of their Respective provinces and Dis-
tricts as had been already practised between
the provinces of Virginia and North Carolina
and that the Necessary Directions might be given
for appointing the said Commissioners for the
said survey within a limited time that so
the Right to the Land in question might be
clearly understood.

That your Petitioners said Attorney Robert

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parted died a few months since so that your Petitioner hath not now any Attorney or Agent in the said Province of Virginia and to assert and take care of Your Petitioners Estate and Interest in that Province and your Petitioner hath been inform'd and apprehends that the Governor and Council of the said Province will take advantage of Your Petitioners want of an Attorney in that Province to make more Grants of Your Petitioners said Land -

That by Reason of the said Disputes before stated many of your Petitioners Tenants refuse to pay any rents or to own, themselves your Petitioners Tenants and Great part of Your Petitioners said Land is granted away from him without any legal Authority whereby many Differences have been already occasioned notwithstanding Your Petitioners great and constant care to prevent the same and many more must necessarily arise unless speedily remedied and great confusion and uncertainty arise as to the property of the under Grantees

For remedy whereof and in order to settle the Boundaries of Your Petitioners said Tract or district of Land as between Your Majestys said Province of Virginia and Your

Petitioner in all times to come so as to prevent all future disputes about the same and that there may not be any disturbance or interruption during the running out and marking the Boundary lines of the said Tract of Land -

Your Petitioner most humbly prays Your Majesty agreeable to the said Report of Your Commissioners for Trade and Plantations that Your Majesty would be graciously pleased to order a Commission to issue for running out marking and ascertaining the Bounds of Your Petitioner's said Tract or district of Land agreeable to the ^[p. 142] Description thereof as expressed and contained in the said Grants thereof from the Crown and that the same may be directed to Commissioners to be therein named for that purpose and that such Commissioners may be properly Authorized to settle and mark out the said Boundaries And that your Majesty will be pleased to name or cause to be named such a Number of Commissioners for that purpose for the said Province of Virginia as Your Majesty shall think Proper to be joined with an equal Number of Commissioners on Your Petitioner's Behalf and that the Boundary Lines of the said Province of

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Virginia so, far as the same Effect or Concern
your Petitioners said Tract of Land and also
the Boundary lines of Your Petitioners said Tract
or District of Land may be surveyed run
out and marked within a reasonable time
to be limited for that purpose and in case
the said Boundary Lines shall not be run
settled and ascertained within the time to
be so limited as aforesaid that then Your
Majesty would be pleased to hear your Peti-
tioner by his Council on the Premises and to
give such order and make such determina-
tion concerning the same as to your Maje-
sty in Your great Wisdom shall seem meet
and that your Majestys Governor of Your
said Province of Virginia may be directed and
enjoynd from making any Grant of any
Lands lying within the Boundaries insisted ^(P. 16.)
by Your Petitioner or his said Agent or At-
torney to belong to Your Petitioner under the
said Grants from the Crown untill the said
Boundary lines shall be settled and ascertain-
ed as aforesaid.

And your Petitioner shall ever pray^{se}

At the Court at St James's

[P. 79]
S: 24.

the 29th day of November 1733

Present

The Kings most Excellent Majesty
in Council

Whereas Thomas Lord Fairfax hath by
Petition to His Majesty at this Board humbly
represented that under Sellers Patent Granted to
the Petitioners Ancestors by King Charles the 1.
2nd bearing date the 8th day of May in the
one and twentieth Year of his Reign and by
King James the second bearing date the 24th of
September in the 4th Year of his Reign the Pet^r
is Entitled to the Fee Simple and Inheritance of
all that entire Tract Territory or parcell of Land
situate in Virginia in America and bounded
by and within the first heads or Spring of the
Rivers of Tappahannock alias Rappahannock and
Quirough alias Patowmack Rivers the courses of
their said Rivers from their said first Heads or
springs as they are commonly called and known
by the Inhabitants and descriptions of those
parts and the Bay of Chesapeake together
with the said Rivers themselves and all the
Islands within the Outermost Banks thereof and
the Soil of all and singular the premises and

all Lands Woods Underwoods Timber Waters Rivers
Havens ports Harbours creeks Ferry Admouson Royal
-ty Hereditaments and so forth whatsoever. That
notwithstanding the Petitioners right to the said
Tract of Land under the said Grants several
Disputes have arisen between His Majestys Go-
-vernor and Council of the Province of Virginia
and the Petitioners Agent touching the Bound-
-aries thereof — And the said Governor and
Council have from time to time actually taken
^(P. 100) upon them to issue Grants of Divers parcels of
Land part of the Petrs said Tract and have run
out surveys of other parcels of altho' the same as
the Petitioner apprehends and is advised were
clearly within the Bounds of his said Tract —
For remedy whereof for the future and in Order
to settle the Boundaries of the Petitioners said
Tract or District between His Majestys Province of
Virginia and the Petitioner he most humbly
prayed that His Majesty would be graciously
pleased to Order a Commission to issue for
running out Marking and ascertaining the
Bounds of the Petitioners said Tract or District
of Land agreeable to the Description thereof as
expressed and contained in the said Grants
thereof from the Crown And that His Ma.

His Majesty would be pleased to name or cause to be named such a Number of Commissioners for that purpose for the said Province of Virginia as His Majesty should think proper to be joyned with an equal Number of Commissioners on the Petitioners behalf and that the Boundary Lines of the said Province of Virginia so far as the same affect or concern the Petitioners said Tract of Land and also the Boundary Lines of the Petitioners said Tract or District of Land may be surveyed run out and Marked within a reasonable time to be limited for that purpose and in case the said Boundary Lines shall not be run settled and ascertained within the time to be so limited as aforesaid that then His Majesty would be pleased to hear the Petitioner by his Counsel on the Premises and to give such Order and make such Determination concerning the same as to His Majesty in his great Wisdom should seem meet and that His Majestys Governor of the said Province of Virginia might be directed and enjoyned from making any Grant of any Lands lying within the Boundaries insisted by the Petitioner or his said Agent or Attorney to belong to the Petitioner under the said Grants from the Crown until the said Boundary Lines shall be settled and Ascertained

as aforesaid: — His Majesty in Council was this day pleased to take the said Petition into His Royal Consideration together with the Opinion of a Committee of His Privy Council and of the Lords Commissioners for Trade and Plantations thereupon And is hereby pleased to Order that the Lieutenant Governor of the Province of Virginia Do Nominate three or more Commissioners (not exceeding five) who in conjunction with a like Number to be named and deputed by the Lord Fairfax are to survey and settle the Marks and Boundaries of the said District of Land agreeable to the Terms of the Patents under which the Lord Fairfax claims within the Space of two Years after the Arrival of this Order — And His Majesty is further pleased to Order that in the mean time the said Lieutenant Governor of Virginia do not presume to make any Grants of Lands within the abovementioned Tract —

For: Vernon—

A true Copy

62.

[P 113] Endorsed. Virginia. / Copy of An Order in / Council of 29th Nov^r 1733 / Directing the Appointment of / Commissioners to determine the / Bounds of the Lord Fairfax's / Lands in Virginia / Rec^d } Dec^r 20th 1733 / S: 24. / 24.
Read }

[P. 103]
S: 25.

Sir

In my Letter of the 8th Feb. last, concerning the Boundaries of the Proprietary Provinces, I made a gross Mistake which I did not till very lately discover, and must beg the favour of you to correct; it is in the latter part of the description of Lt. Baltimore's Bounds, and in these Words, And they pretend to know that the River call'd Bohongarooten is that which the line between Maryland & Pennsylvania will first Intersect. Now if you will be pleased to put out in that place, only, Bohongarooten, and put Konneichiga instead thereof all will be right, and you'll oblige

Sir

Your most obed^t Serv^t

Willisbooch

July 15th 1733

The alteration which
Major Booch desires, is made

P.

[P. 104]

Addressed To / Alured Popple Esq^r

Endorsed Virginia. / Lr from Major Booch, / to the Secy
dated July 15th / 1733 rectifying a mistake / in a former
Letter describing / the Boundaries between / Maryland and
Pennsylvania /

Read Septem^r 12th } 1733
Read Jan^y 10th }
7th 1733

S: 25. /

Ex

S:32.^(p. 27)

My Lords

I have the honour of Your Lordships of the 13th y^r, with the Papers your Lordships were pleased to send in relation to the Pretensions of the several Proprietors, of Pensilvania, Maryland and the Northern Neck, to the Lands lying Westward of the great Mountains of Virginia.

[In my letter of the 29th of June 1729 I gave Your Lordships a true State of the Dispute between the Crown and the L^d Bulpeper as to the Construction of his Grant: And I then humbly offered my Opinion for determining that matter at Home, and I am still of Opinion that the best and most effectual way to do it, must be either by a Tryal in Westminster Hall, or by the Arbitrament of Persons deputed, by the King and L^d Fairfax, for that Purpose since by viewing the Mappe I sent Your Lordships, and comparing it with the Grant of King James the 2^d to L^d Bulpeper, and considering how far the Rivers Rappahannock and Potomack were then known, a true judgment may be formed what was the Intention of the Crown, and what ought to be the Boundaries conformable to that Intention; and under such Determination be made either by a legal Decision or compromise. I am humbly of opinion that appointing Com.

missioners here will prove a fruitless Labour and Expence.

It is to be Noted my Lords that the Rivers Rappahannock and Potomack took their Names from the Indian Nations inhabiting their respective Banks, and that the Places where these Indian Towns stood, when Virginia was first settled, and continued while there were any Remains of those Nations, are below the Falls of both Rivers, and where they are Navigable.

What denomination Rappahannock had above its Falls, or the several Rivers had which form it, doth not certainly appear, tho' tis more than probable the Indians had other names for them; for that part of Potomack River which has been lately discovered and settled above its Falls is known and called by all the Indian Nations that have most commonly frequented it, by the name Pahongarooten, as all the other Rivers which fall into it are called by their several distinct names. So that if according to L^d Bulpeper's Grant Nothing Passes by the Names Potomack and Rappahannock Rivers, but as they were known and called at the time of its Date, my L^d Fairfax can claim no farther Westward than the Falls of ^{of} each River, or at the farthest where those Rivers begin to be

one stream. But if His Majesty out of his more abundant Bounty, thinks fit to allow that Grant to extend up to the Head Spring of that River which forms the North branch of Rappahannock, then the Bounds must be run from thence to the River Sahongarooten, ~~where~~ from the same Meridian the head/spring of Rappahannock ^[p. 28] lies in, and consequently must be Bounded by the Ridge of Mountains, as your Lordships will see by the Map; and then Lt Fairfax will have an Extent of Territory upwards of two hundred miles in length, and in some Places thirty Miles broad, and His Majesty be at liberty to settle a Barrier between this Colony and the Lakes, upon which the security of this and the other Provinces greatly depend.

Lord Fairfax's Agent here has laid down such strange Pretensions, as never, in my opinion, can be reconciled with the words of the Grant: They will have it because the headsprings of both Rivers are mentioned in the Grant, His Lordship is not to be Bounded by the head of Rappahannock but is to comprehend all the Rivers that fall into Potomack, wheresoever their headsprings or sources take their Rise; and therefore because the River Shenando or Shenando falls into

bahongarooten, they will have all the Lands on that River as far South as the Borders of N^o Carolina, and from thence all the Lands Westward and Northward to the Source of bahongarooten to be within their Bounds, which would extend that Grant, defined plainly by the words of it between the two Rivers, Rappahannock & Potomack, upwards of one hundred Miles beyond Rappahannock to the Southward, and above that distance to the West, and so to extend North behind Maryland, intersecting the Province of Pensilvania.

Your Lordships will hence Perceive how impracticable it is for Commissioners here to Determine [a] Controversie so perplexed, and how unequal any Commissioners here are like to prove for such [a] Task, where the Foundation, the Letters Patent of the Crown are deemed altogether uncertain, and neither the King was informed what He Granted, nor could the Patentee know how to describe what he Asked, and would now extend his blame beyond what ought to be allowed, or it can be [supposed] the Crown intended to Bestow.

I have enlarged the more fully, my Lords, on the blame of L^d Fairfax, because until that [is] de-

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION OF THE HOUSE OF COMMONS
47

terminated, there is no occasion for His Majesty to
Interest himself in the Dispute concerning [the]
Boundary of Maryland or Pennsylvania: for if
the Northern Neck Grant is judged as extensive
as the Proprietors Agent would have it, I know
no Lands His Majesty hath to dispose of beyond
the great Ridge of Mountains. Shenando, as laid
down in the Map, runs parallel with that Ridge
from the extremity of our Southern Boundary. Ca-
hongerooten is said to have its Source beyond
the fortieth Degree of North Latitude, and intersect-
ing the Boundary of Pennsylvania runs on the
west of Maryland, till it falls into Potomack River
properly so called, and the many rivers which
fall into Cahongerooten from the West are said
to interlock with the branches of the Mississippi;
so that the Lands in Virginia which are in
the Power of the Crown to Grant are entirely
cut off, and separated from that which by con-
tiguous to the Lakes, by this extraordinary Claim
under the Grant of the Northern Neck.

But since my Lords I can never suppose
that such a Construction of the Northern Neck
Grant will be Allowed, and that your Lord-
ships may receive all the Information I can
give I shall go on and state the difference be- [p29]

between Virginia and La^d Baltimore: His Lordships
Province of Maryland is bounded on the South,
from the sea, to Watkins's Point (which is not
laid down in the map I sent, but your Lord-
ships may judge it to be on the South side of
that River I should have said the south side of
the mouth of that River which runs out of Ches-
apeake Bay into the Eastern shore) and thence cross
Chesapeake Bay to the South side of Potomack River
(which River is in His Lordships Grant, tho' in His
Majestys Instructions 'tis called a pretended Right,
and I am thereby directed to assert His Majestys Right)
and so that River continues the Limit between His
Lordship and Virginia. On the North His Lordship
is Bounded by a West line, (where they are to sett
out is not yett, as I hear, agreed upon, 'tis conjectured
about Delaware River or Sassafras River, but that is
not material) which is to Extend as far Westward
as the true Meridian of the first Fountain of
Potomack; by which, my Lords, it is evident that
the first fountain of Potomack was then supposed
to be somewhere to the South of that line, other-
wise it would have been more properly express-
ed, by extending that line westward till it in-
tersected Potomack River, and so have made that
River the western Limit, as well as it is the Southern

of his Lordships Grant. Hence I think it clear, My
 Lords, that neither in the Grant to Maryland, nor
 that to my Lord Culpeper, Potomack River was ever
 imagined to extend so far as the River Cohongarooten
 doth, and if L^d Baltimore insists on that
 as Potomack, and if it be true that its source
 takes its course from the Northeast, as it is generally
 reported, then a Line drawn from that Meridian
 to Potomack River, properly so called, will cut off
 a large Tract now inhabited under Grant from
 L^d Baltimore as part of his Province and some
 People here are so confident of this, that they
 have Petitioned me for Grants of large Tracts of
 Land there as belonging to Virginia, which Pe-
 titions are referred till the Boundaries be settled.
 Others argue that by the first Fountain of Poto-
 .mack, his Lordships west Line can extend no
 farther than till it falls on the first River
 in its course, which empties its self into Poto-
 .mack, of which it seems there are many on
 that side of Cohongarooten, as well as on the
 other, and they pretend to know that that River
 call'd ^{Comechiga} Cohongarooten is that which the Line between
 Maryland and Pensilvania will first intersect, and
 have their eye upon Lands on the west side of
 that River as undoubtedly in Virginia; in which

for the alteration see
 May 1643 letter to the
 Lords dated 15 July 1643

case Lord Baltimore will lose less, and have his Limits sooner Ascertained, than by tracing Pahongarooten to its source, and then running a south line from thence according to his Charter.

The Grant of Pennsylvania is the only one whose Western Limit is capable of being reduced to a Certainty consistent with the Description mentioned in the Letters Patent: and if the Proprietors of that Province and L^d Baltimore shall agree to run the Line of Division between them, and to measure as far as that extends, the rest of the five Degrees of Longitude, which the extent of Pennsylvania, may with small Expence and no Dispute be measured and fixed so as no Controversy may arise hereafter.]

Since therefore, My Lords, there appears such uncertainty in the Description of the Boundaries ^(p. 100) of these Proprietary Grants, made without due Information or knowledge of what was intended to be passed to the several Patentees; and since the Proprietors are neither like to agree amongst themselves where their Boundaries are, nor how they Interfere, nor seem to be contented with what may reasonably be supposed the Crown granted them, it is high time to take some speedy

measures to put an end to these Disputes, and
the rather since there is now a view of having
great numbers of foreign Protestants to beat these
Frontiers, and thereby prevent the French, an op-
portunity if let slip, perhaps may never be
retrieved.

But I cannot leave this Subject without re-
presenting to Your Lordships that the Presiding
new Provinces and Governments will be attended
with many Inconveniencies: Such as the weak-
ness of an Infant Settlement to support its self.
the difficulty of bringing Foreigners to the know-
ledge and under the subjection of the English
Laws, where they are left to themselves, and
not Incorporated with an English Government;
the disputes that may arise concerning their Bound-
aries, if a Tract of Land should be granted them,
the true limits whereof cannot be with certainty
described, besides any others which 'tis needless to
trouble your Lordships with.

I should rather, if your Lordships will
give me Leave, advise if they are to be let-
tled within the limits of Virginia, that His
Majesty would leave it to the Government here
to assign them Lands proportionable to their Num-
ber, and to grant them distinct Patents, with exemp-

tion for seven or ten years from Payment of
Quitrents, and such other ease in the manner
of taking and cultivating as His Majesty shall
think reasonable for their Encouragement; and
bare [may] be taken here that no more Land
than is already Entered for, on the back of
the Mountains, [shall] be granted to any other Per-
son whatsoever till they have their full comple-
ment assigned to them. All which I submit
to Your Lordships better judgment.

My Lords I have made all the Inquiry
I can into the matter set forth in Mr Jones's
Letter, and can only find, and I am persuaded
tis all that is in it, that one D. Watkins and
some other necessitous People have imposed upon
some Gentlemen of Estates, and drawn them in
to buying shares of a Silver mine they pretended
at first, they had found on the back of the
Mountains, tho' they afterwards reported it near
Sasquehannah River in the Province of Maryland,
and having shewed something which they af-
firmed to be Silver ore, it proved to be only
antimony, and the Gentlemen concerned are now
convinced it is a Cheat put upon them, for
which they paid in advance about £20 per man.
However I shall have a watchful Eye over them,

and if I can discover any appearance of a
Royal mine shall give speedy notice of it to
your Lordships

I am

My Lords

Your Lordships

Most dutiful and most faithful
humble servant

William Gooch.

Virginia

Wmthburgh

February 8th 1733

This comes by a ship to Liverpool

[p. 322]

Endorsed. Virginia. / L^d from Maj^r Gooch / Lieuten^t
Gov^r of Virginia, dated y^e 8th of Feby / 1732 / ~~with~~
[in a different hand] giving a large state / of the dispute about the Bound-
aries / between that Government and y^e Northern /
neck, Maryland & Pennsylvania, occasioned / by a Petition
for a New Settlement on the / back of the Great
Mountains, and about / a pretended Silver Mine
found there.] / Recd 25th May 1733. / Read Septem^r 10: 1734.
S: 32 - 1

To the Right Honorable the Lords Commissioners of ^{S: 35.}
Trade and Plantations

Humblly sheweth

That the Petitioner, jointly with others, did by their Petition to H: M: 4 years ago, represent how greatly it was the Interest of this Kingdom to encourage a new Colony to be settled beyond the Mountains of Virginy, the great benefit and advantages, that would accrue to the Nation by the production and Settlement thereof: Which Th: L: Sh: did conceive to be real matters, and were pleas'd to approve the same, and prepare a favorable report thereof to be remitted to the Council

But as the Lords Baltimore, Fairfax, and Mess: Penn did jointly oppose the execution of this project, upon suggestions of having a claim to the say'd Land, although it can be undeniably prov'd, by their own Grants, Charters, Maps, Letters, and the Testimony of the Inhabitants of Virginy and other Provinces, that the land which was Petitioned for lies beyond their west Limits the Person that search'd out the say'd Land, having had a true Information thereof upon the place, and avoided carefully to give any cause of Complaints to the say'd Prop^{rs} yet Th: L: Sh: were pleas'd to conclude, to put a stop to this business, until the say'd Prop^{rs}

should have regulated their limits, which they went accordingly to perform in Person;

Upon this delay the Petitioner did not intend to make any further solicitations, having already employed a whole year about it with great loss of time and expence. But he being every year troubled with these poor Strangers that come over, to provide them passage, and take care of them, which he hath now done these five years with much loss of time, assisting them in all honesty, Integrity, good advise, and expence, having sent last year 37 Persons att their request to Pennsylvania, and this year in 2 Ships 49 Persons to South Carolina, which induces him to offer his service once more, that these People may not only be taken care of for their Passage but also to settle them together, and assist them with such good advice, and directions, as to enable them to become sooner profitable to the Nation by their production and Labour.

It is therefore most humbly desired by the Petitioner to be favorably inform'd of Th^r L^{ds} disposition in regard of this propos'd Colony behind the Mountains of Virginia. If Th^r L^{ds} are inclin'd to promote the same, the Petitioner most humbly offers to engage himself to perform it, with the utmost care and assiduity, he

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71

having been these 25 years Labouring to find out^(p. 11)
the best method to make a Colony flourishing,
and hopes to give good prov^s thereof to the
Satisfaction of the Publick: But having been in-
form'd by a Creditable Person, that there has
been taken up already in Virginy about 300 000
Akers for behind these Mountains, the most Commodious
Land therefore is already taken in possession and
the new comers will be oblig'd to settle in re-
-moter parts, to their great inconveniency.

If the L^d Sh^{ts} are rather inclin'd to assign
Land for these People up to the Mountains in
Virginy and going southwards into North Carolina
along the Sayd Mountains for about 150 Miles in
length and 50 in breadth, he offers to settle them
there, the chief reason why the Gov^t chuses to
settle near or beyond the Mountains is, that
this situation will be most agreeable to the Con-
-stitutions of the Swisssers, who Live in a high
and hilly Country, but a great difficulty is, that
the Mountains are about 200 Miles from the Sea,
and will therefore be very chargeable and diffi-
-cult to bring the People and goods there, and
also from thence, another difficulty is also that
Marchand ships cannot pass through the Inlets
into North Carolina But only Sloops which

renders that Province very unfit for trade to their great
disadvantage, for the sake of these inconveniencies, it is
hoped Th^r: L^{ts} will have due regard and consideration

These proposals are most humbly submitted to Th^r
L^{ts} wise judgment by
their Lordships

Most humble and most
obedient servant

John Ocker

[pms]

Endorsed. Virginia - North Carolina / Humble Petition
to the R: & C: the / L^{ts} C^{ms} of Trade and Plantations / Con-
cerning a colony of swissers and / Germans, in Virginia /
and North Carolina, to be / settled by M^r: Ocker.

Read } Nov^r: 21. 1734 / S: 33
Read }



At the Council Chamber Whitehall

the 13th day of February 1724

By the Right Honourable the Lords of
the Committee of Council for Plantation
Affairs.

His Majesty having been pleased, by His
Order in Council of the 12th of this Instant, to refer
unto this Committee the humble Petition of the
Minister Elders and Members of a German Lutheran
Congregation settled in the Prince of Oranges County
(formerly called Spotsylvania County) in Virginia)
humbly praying, for the reasons therein contained,
that His Majesty would be graciously pleased to
give his Royal Instructions to the Governor of
the said Province of Virginia, to recommend to the
Council and Assembly, to renew part of an Act passed
in that Province in 1720, to Exempt the Petitioners
from the paying of all Parish Levys, during such
time, as to His Majesty should seem meet: — The
Lords of the Committee this day took the same
into their consideration, and are hereby pleased
to refer the said Petition to the Lords Com-
missioners for Trade and Plantations to Exa-
mine into the allegations thereof, and Report
their Opinion thereupon to this Committee —

W: Sharpe

¹⁷³⁴
Endorsed. Virginia / Order of the Committee / of
13th Feby 1734. / referring to the Board the / Pet^r of the
Minister, Elders & / Members of the Settlement of / Ger.
man Protestants in Virginia / praying to be
Exempted from / paying Parish Taxes. /

Recd Feby 18: } 1734/5 | S: 34-1 " "
Read 21: }

My Lords

S:38. (p. 111)

Being very sensible how great Prejudice is to His Majesty's Interest as well as to this Colony, that the seating the Lands on the western side the great Mountains is so long Obstructed, I cannot forbear applying to your Lordships with my most earnest Request that you will be pleased to press for a speedy Determination of the Dispute with Lord Fairfax, concerning the Bounds of the Northern Neck. And that your Lordships may be satisfied how much His Majesty's Revenue suffers by keeping up the unreasonable Pretensions of extending the Grant of that Neck beyond its just Bounds, I beg leave to Inclose (No. 1.) the Copy of a Petition delivered me in Council from several Gentlemen for a large Tract of Land upon the dividing line between Maryland and Pennsylvania, and on the western Limits of the latter Province. As the Proprietors neither of the one Province nor the other can lay any Claim to the Land mentioned in the Petition, I presume neither of them will Insist that their Caveats ought to Retard the Granting it by this Government to which it properly belongs: So that 'tis only Lord Fairfax's Caveat depending before your Lordships, which obliges me to delay complying with

the Request of these Petitioners, and refusing so considerable an Increase of His Majesty's Revenue as they have offered to lay down.

The Copy of another Petition which I have Inclosed (N^o 2.) will I hope demonstrate to your Lordships how soon that part of Virginia on the other side the great Mountains may be Peopled, if proper Encouragements for that Purpose were given. Most of these Petitioners are Germans & Swissers lately come into Pennsylvania, where being disappointed of the quantity of Land they expected as well for themselves as for a more considerable number of their friends and countrymen, who designed to follow them, ^(p. 244) have chosen to fix their Habitations in this uninhabited part of Virginia, and as there are many of His Majesty's natural born Subjects in the northern Provinces very desirous to Remove to the same Place, I am inclined to hope your Lordships will judge it good Policy to cherish this disposition in them, the Security of this and the Province of Maryland depending upon it: for by this means a strong Barrier will be settled between us and the French; and not only so, but if by encouraging more Foreigners to come thither, we can once get the Possession of the Lakes, which are not very far distant, we shall be then

able to cut off all communication between Cana-
da and Mississippi, and thereby so much weak-
en the Power of the French as to have little to
fear from that Quarter hereafter.

Your Lordships will pardon me if I say
such a design can never be more reasonably put
in Execution than now, when the Situation of
Affairs in Europe seems to tend to a speedy
Rupture with that Nation: and therefore I
hope your Lordships will use your good offices
with His Majesty to obtain the Encouragements
desired, for which I shall impatiently wait
your Lordships Commands, because I think no
time should be lost to accomplish an affair of
so great consequence. I am

My Lords

Your Lordships

Most faithful and most
obedient humble Servant

William Gooch

Virginia

May 24th 1734.

[Emerson]

[726]

Endorsed. Virginia / Lr. from Maj^r Gooch / Lieut. Gov^r
of Virginia, to y^e Board, / dated y^e 24th of May 1734, re-
lating to / incouragement desired for new / Settlements to
the westward of / Virginia, Maryland & Pennsylvan^a / Abstr^d
Recd July 24. } 1734 / S 38 / with an Pap^r Pet^r (A)
Recd August 13. } 1735 / 38

S: 51

Whereas M^r. Jacob Stauber Intends to settle be-
 yond the Blue Hills in Virginia, which never
 was attempted yet, but if once begun, will prove
 very beneficial, for to encourage such a noble
 undertaking, I therefore certify, that the said
 M^r. Jacob Stauber, is the fittest and properest Per-
 son for to undertake and Accomplish the same,
 having known him this Twenty year in Pensilvania,
 when he made Settlements, in the remotest parts
 among the Indians, whereby he hath acquired
 the Reputation among all that knew him of one
 of the best skilled in Husbandry, and acquired by
 his particular Industry very handsome means &
 that he hath Experience both to Encourage &
 assist others in settling the same. As Witness
 my hand this second Day of October: 1731

J S Spragell Senior

[2352]

Endorsed. Virginia. / Certificate from M^r. Spragell, /
 that M^r. Jacob Stauber / is a proper Person to undertake /
 the Settlement behind the Blue / Mountains in Virgini-
 a. / Dated ye 29 of October 1731. /
 S. 51.

Recd Oct^r 21st } 1731.
 Read Septem^r 17th 1735.

[p 349]
S. 52.

To the Right Honourable the Lords
Commissioners of Trade and Plantations—
Humbly Sheweth

That the Petitioner hath these 2 years been much troubled, with a good number of German and Swiss Protestants, who desired him to assist them with advice, and help them to a passage for America and considering them as Strangers, hath assisted them, with the utmost care, and fidelity, Loss of much time, and expence, to the best of his knowledge, and their intire Satisfaction; But having considered, that the chief service will be, to take also care that they may be well settled together, upon good land, in a healthy situation, and temperate climate, that they may be assisted with good instruction, to improve the land, to the best advantage of this Kingdom, in producing such Commodities as are chiefly desired and wanting: The Petitioner having the benefit of the Kingdom, and the welfare of the People chiefly in view: he therefore humbly proposes to His L^{ty} S^{ts} to be pleased to grant them a Tract of land about 20 miles long and broad, lying in Virginy and North Carolina on the Mountains, tis there desired for the healthiness of the air, and when that Tract be settled to have another to chuse in that neighbourhood, and

be increasing further, for which end 'tis humbly desired, that no land be taken up by other Persons for some limited distance, that the extending of this Colony may not be interrupted: and if on any part the Indians may lay claim they shall be satisfied by agreement or avoided; but as a settlement at so remote a distance from the sea, is very inconvenient and chargeable for land and water carriage, His L^{ty} Sh^{ty} will be pleased to have some favourable disposition to grant them as an encouragement the following Favours —

1. That all these Foreign Protestants, who shall settle in this Colony, may thereby be intitled, to be natural Subjects of this Kingdom, without any charge or other formality, who leaving their native country, lose thereby all their right to it, 'tis reasonable that where they settle to have also the enjoyment of a right Subject, and not to be esteemed as strangers since the Nation receives much benefit by it.
2. By reason of the disadvantageous situation up by the Mountains lying 200 Miles from the sea, 'tis humbly desired, that they may be exempted 15 years free from Quitrent, after that they are willing to pay 2 Shill^{ts} Sch^{ls} p^a 100 Acres yearly as is usual, and that all which come afterwards to have the same exemption from the date of their arrival.

3. That the People may have land according to the established orders of the Province 50 Acres p.^h head, If any desire more to have it according to the regulation: That all the land be measured out, and registred, as many Miles long and broad, without charge, and that the Petitioner ^(p. 150) may have the benefit of measuring it out in Parcels for the usual price in the Country.

4. As the greatest difficulty of a Colony consists in the beginning when every particular Family hath work enough to settle in their own Plantation, there are several very necessary buildings requir'd for the use of the Public viz. a Corn mill, Saw mill, Hemp Mills, a Forge Iron and Steel to make and mend tools &c If therefore the Governm^t would be graciously pleas'd, to ordain a Sum of Money, towards the expence thereof, according as they in their wisdom shall think fit, it would ease the Colony very much, and make it the sooner flourish.

5. The Petitioner desires nothing of the People, to make their beginning the easier but to execute this work duly, it will require great pains, trouble, and considerable expences, to establish proper orders, in several Citys of Germany and Swisserland, and to give the People printed instructions, how much money is requir'd for their Passage and Settlement.

6. To perform all this in the best order and with the utmost care, the Petitioner finds it necessary to request that the Hon. Council (in consideration of the great service to the Public) grant him for some years, a yearly allowance, as to continue to him the salary he now has, and make some proper addition to it as the L^d Sh^{rs} shall think proper. but the first year it will require more expence, to set all things in good order, and after this annual allowance shall cease that he may make some agreement with the People for his care and service to them, it is hoped the L^d Sh^{rs} will also grant him a certain quantity of Land free from quitrent for ever.

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION

they can provide themselves cheapest, and that all these goods may be free from duty, in any port where they shall be blest to go to America, but all that shall be wanting in the future; to be had only from this Kingdom.

8. As this Colony will be expos'd to the Indians on the west syde of the Mountains, If the Governmt^t would be pleas'd to furnish them with some Canons, ammunition, and small arms that they may erect a Fort, where it shall be judgd necessary for their security: by settling a Colony in the upper part of the Country along the Mountains, the whole Province on the west syde will be secur'd, all the Sea Ports being now taken in possession, the Middle land can be peopled, with all ease, security. and att leisure.

[p. 351]

19. If the Governmt^t of virginia and North Carolina by order of Th^r L^{ds} Sh^{ts} did assist the people with some Corn for a years subsistence, and some live cattle, to continue for 3 years, as doth the Governmt^t of South Carolina, for 6 years; it would be a great help to their settling with more ease and less expence.

Now in consideration that only those which can pay for their passage, are to be accepted, the greater part that are willing to go,

and some very good workmen, cannot raise so much money. to remedy this defect, 'tis humbly propos'd as a sure mean to help them that the Governm^t would be pleas'd to grant full liberty, to Foreign Protestants, as well as English Subjects, to furnish these People the expence of their voyage and settling, on condition that the land they shall possess be mortgaged to them, till they be in a condition to pay the Capital, which may be limited to 12 years, and to pay mean while the Interest at 6 p^{er} cent yearly, except the 2 first years nothing, this would engage many families in Switzerland, to favour the Peoples going out of the land, 'tis otherwise to be apprehended that it will be severely hindred, for a little book of M^r. Parry by too much praise of Carolina and without instruction hath set the People on, for going there, which come without any certainty, or money, and the little they have is spent by a long ill contriv'd and unseasonable voyage.

Some Foreign Protestants may also be inclin'd to have land in Carolina and send People to settle there at their expence, who after some years may have a desire to go there themselves, or any of their children, to take possession thereof, or otherwise dispose of it, as they think fit, for that reason it will be necessary that all such

Persons being all the charge of settling the land,
may also be esteemed, as well as those that leave
in the Country natural Subjects of the Kingdom,
to possess that land with a right title and to
sell or dispose of it, as their right property, which
will procure also a better sort of People, who will be
usefull in the Country, to support the Colony, aug-
ment the Trade, and be fit to serve civil and
Military offices. all this is no more then what
Foreigners enjoy here in London, in the Publick
funds, where they receive their Interests as well as
the Subjects of this Kingdom.

All which is humbly submitted to Th^r L^{ts}
Th^r wise Judgment, 'tis humbly hoped they will be
favourably pleas'd to take into their Consideration
that the Petitioner hath had great loss of time,
and expence, about the propos'd Colony behind
the Mountains / who hath been these 25 years ^[p. 352]
exerted in this business, and acquired such Knowledge
therein that he hopes to give good Satisfaction in
it, If Th^r L^{ts} Th^r will be pleas'd to favour him
with Their Resolution as soon as possible, otherwise
this next year can be nothing done in it, for it re-
quires time to put all in good order, and the people
must be carried over in the proper Season:
humbly praying so.

^[P 359] Endorsed. Virginia. | North Carolina | Petition | for
establishing a colony of Swissers | and Germans at the
Mountains | of Virginy. | read from Mr. Packer.
Read
Read Septem^r 17: 1736. | S: 52. |

To The Honourable W^m Gooch Esq^r His
Majesty's Lieut. Governor of Virginia in Council.

1739

Vincent Peirce William Allen & Charles
Whitwell in behalf of themselves & others

Humbly Shew,

That they have assurance of a great number
of Families of Protestants who are desirous to come & in-
habit within this Colony on unpatented Lands on
the West side of the River Cahongaroota, And your
Petitioners are willing to promote such a Settlement
on the frontiers, and to support such Strangers, un-
til they can provide for themselves Yo^r Petitioners
therefore pray your Honours will be pleas'd to grant
them Liberty to survey and sue out a patent for
sixty Thousand Acres of Land laying on the West
side of the s^d River Cahongaroota bounding to the
Northward on the East & West Line, the boundary
to the Southward of the Proprietors of Pensilvania
and so along the said River southward (Including
several branches which run into the said River on
the West side of it) until the said sixty Thousand
Acres are included.

Yo^r Petitioners are also ready to pay the
Majesty's Receiver General Three hundred Pounds
sterling for the Rights for the said Land
all which is humbly Submitted.

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAMENTARY PAPERS
47
To The Honourable W^m Gooch Esq: His
Majesty's Lieut Governor of Virginia in Council.

Vincent Peirce William Allen & Charles

Whitwell in behalf of themselves & others

Humbly Shew,

That they have assurance of a great number
of Families of Protestants who are desirous to come & in-
habit within this Colony on unpatented Lands on
the West side of the River Bahongaroota, And your
Petitioners are willing to promote such a Settlement
on the frontiers, and to support such Strangers, un-
til they can provide for themselves Y^{rs} Petitioners
therefore pray your Honours will be pleas'd to grant
them Liberty to survey and sue out a patent for
sixty Thousand Acres of Land laying on the West
side of the 1st River Bahongaroota bounding to the
Northward on the East & West Line, the boundary
to the Southward of the Proprietors of Pennsylvania
and so along the said River southward (including
several branches which run into the said River on
the West side of it) until the said sixty Thousand
Acres are included.

Y^{rs} Petitioners are also ready to pay the
Majesty's Receiver General Three hundred Pounds
sterling for the Rights for the said Land
all which is humbly submitted.

1734
Endorsed. Virginia. 1st Petition of several Gentlemen/
to Major Gooch, Lieut. Gov. of Virginia, for a large Tract
of Land in that Colony, on y^e Western Limits of
Pennsylvania.

2^d of Several Inhabitants on the West of Virginia
praying a Remission of Quit Rents and Taxes.

Rec^d with Maj^r Gooch's Lett^r of 24th May 1734.

Rec^d July 24th } 1734 | S: 39.
Read

To The Hon^{ble} W^m Gooch Esq^r His Majesties
Lieut Governor of the Colony of Virginia.

The Humble Petition of the Subscribers
His Majesties Most Loyal Subjects Inhabi-
tants on the North West side of the
Blue Mountains in this Colony.

Most Humbly Sheweth

That Yo^r Petitioners with many more of His
Majesties Subjects have removed themselves & Families
from several Provinces & Plantations in America
with intent to settle themselves on the Unpateni-
ed & Uncultivated Lands, in that part of this
Colony & have bin at very great charge in so doing.

That Yo^r Petitioners notwithstanding the fertility
of the soil find themselves under very great dif-
ficulties through the remote situation of their
Lands from Water barriage & the Inconveniences of
making Roads through the Woods & over that Chain
of Mountains which have bin hitherto reckon'd unpassable.

Nevertheless Yo^r Petitioners are well assur'd that
many People as well fforeign Protestants as His Ma-
jesties Natural born Subjects would upon proper
Encouragement be willing to associate with them
whereby in a few Years a strong Barrier would be
form'd against the incursions of the Savage Indians
as well as the Encroachments of the Neighbouring Nations

Y^{rs} Petitioners Therefore Humbly Pray
That Y^{or} Hon^r would be pleas'd favourably
to represent the case to his most sacred Majesty
with their Humble Request that a Remission
of Quit Rents & all Taxes for a Term not ex-
ceeding Twelve Years may be granted them for
their Encouragement to extend His Majesties Empire
in these parts. And that Y^{or} Hon^r will also provide
for their Exemption from the Ordinary Jurisdiction
of the Neighbouring County Courts to which they
cannot repair without great hazard & trouble &
to Establish a Magistracy amongst themselves in
such manner as in your Wisdom you shall
think fitt &

Y^{rs} Petitioners shall ever pray &

Sign'd by Seventy Masters of Families

[4.256]

Endorsed Virginia. / 2.) Copy. / Petition of several of
y^e principal / Inhabitants on y^e North West side of y^e blue /
Mountains in Virginia, to Maj^r Gooch, / praying that a temporary
Remission of / Quit Rents & Taxes may be granted them, / for their
Encouragement to extend His / Majesties Empire in those Parts. Rec^d
with Maj^r Gooch's Lett^r / of y^e 24th May 1734. / Rec^d July y^e 24th 1734.
Read

REPRODUCED FROM THE COLLECTIONS OF THE MASSACHUSETTS HISTORICAL SOCIETY
To the Kings most Excellent Majesty in Council^(p. 227)

The humble Petition of the Minister Elders
and Members of a German Lutheran Congre-
gation settled in the Prince of Oranges County
(formerly called Spotsylvania County) in Virginia.

Sheweth

That the said Congregation consists of Sixty
two Families making in Number 274 Persons—

That they came to Virginia in the Year
1714 and were then settled on some Lands belong-
ing to Colonel Spotswood but in the Year 1723 they
removed forty Miles further and were then seated
upon Lands belonging to the Crown at the very
borders of the Country under the Great Ridge of
Mountains where they have served as a Defence
against the Indians and in which Dangerous
Situation they have continued ever since. —

That in 1720 An Act of Assembly was
past in Virginia for Erecting two New Counties
called Spotsylvania and Brunswick and for grant-
ing certain Exemptions and Benefits to the In-
habitants thereof. In which Act it was Enacted
"That if any Number of Foreign Protestants shall
"at any time within the Space of Ten Years from
"the first of May 1721 come to Dwell and Inhabit
"the said County of Spotsylvania and Brunswick

"respectively and shall keep and maintain a
"Minister of their Own all and every such Foreign
"Protestants with their and every of their Wytheable
"Persons in their Family shall be Exempt and
[p. 130]
"free from the payment of all Parochial dues
"and Charges towards the Parishes of S^t. George or
"S^t. Andrew for the space of Ten Years next after
"their arrival or so much thereof as they shall
"keep and maintain such Minister of their
"own as aforesaid. —

That Your Pet^{rs} being Inhabitants of the
Parish of S^t. George they did in consequence of
the above Act use their utmost Endeavours to Ob-
tain a Minister of their own Religion but could
not find one that would accept of so small
a living till very lately that Providence hath
directed them to hear of a Divine regularly Edu-
cated in one of the Accademy in Germany whose
heart is inclined to accept of their calling him
to be their Minister. —

That for want of meeting with such a
Minister during the said term of ten Years they
had no benefit of the Exemptions intended them by
the said Act but have been Obliged to pay all
the Parish Levies from their first settling to this
time. And which they must even still continue

to pay notwithstanding they are now provided
with a Minister in regard the said Act is now
Elapsed —

That as it will be impossible for this Con-
gregation to maintain their Minister and at the
same time to pay the Parish Series their distance
from a Navigable River depriving them of all bene-
fit of Trade And as they have always been
good and faithfull Subjects to the Crown of Great
Britain and regularly paid all their Quit Rents
and Taxes —

The Petitioners therefore most humbly pray
that Your Majesty will be graciously pleased
to give Your Royal Instructions to the Governor
of Your Majestys Province of Virginia to recommend
to the Council / and Assembly to renew such part of
the Act as is aforementioned to Exempt them from
the paying of all Parish Series during such time
as to Your Majesty shall seem meet which will
prove a great inducement to many other German
Families to come and settle in those parts —

And Your Pet^rs shall ever pray &c.

Johannes Casparus Stoeverius

dicta Congregationis Pastor.

Michael Chmiet one of the Elders of the said Congregation

Elders of the s^d Congregation

Michel Holt one of the Members of the said Congregation

[P213]

Endorsed. Petition of the Minister Elders and / Mem-
bers of a German Lutheran / Congregation settled
in Virginia praying / that the Governor of that
Province may / be instructed to pass a Law to Ex-
empt them / from Parish Levy — / R. 1 Feby 1734.

S: 35. [p. 237]

Done & passed
on 10th
or 11th

At the Council Chamber Whitehall

the 7 of March 1734

By the Right Honourable the Lords of the
Committee of Council for Plantation Affairs

The Lords of the Committee this day took into
consideration a Report made by the Lords Commis^{rs} for
Trade and Plantations, upon the Petition of the Minister
Elders and Members of a German Lutheran Congregation
settled in the Prince of Oranges County, formerly called
Spotsylvania County in Virginia, praying for the Reasons
therein contained, that His Majesty would be gracious
ly pleased to Direct His Governor of Virginia to recom-
mend to the Council and Assembly of that Province
to renew such Part of an Act passed in Virginia
in the Year 1720, for erecting two new Counties
called Spotsylvania and Brunswick and for granting
certain Exemptions and Benefits to the Inhabitants
thereof; whereby the Petitioners were Exempted from
the Payment of Parochial Dues and Charges toward
the Parishes of St. George and St. Andrews for the
Space of Ten Years, or so much of that Term as
they should keep and maintain a Minister of their
own: And the Lords of the Committee agreeing
in Opinion with the said Lords Commissioners
that His Majesty may be graciously pleased to
Order His Governor of Virginia to move the Council

[p. 238]

and Assembly of that Province, to renew the said
Exemptions granted to the Petitioners by the above-
mentioned Act of 1720 for the Term of ten Years
longer, Do therefore hereby Order, that the said
Lords Commissioners for Trade and Plantations, do pre-
pare a Draught of an Additional Instruction proper
to be sent hereupon to the Governor of Virginia,
and lay the same before this Committee.

Ja: Vernon

[p. 12]
Ondorsed. Virginia. / Order of y^e Lords of the/
Committee of Council, of y^e 7th / March 1734-5, directing
the / Gov^t of Virginia to get a / Law passed to
exempt some / German Protestants Settled / there from
the payment of / Parish Taxes &c for a longer / time, as
reported by this Board. / Rec^d March 12th } 1734/5 / S: 35
Read D^y 14:

At the Court at St. James's

the 3^d day of April 1735

Present

The Kings most Excellent Majesty
in Council

Upon reading at the Board a Report from the Right Honourable the Lords of the Committee of Council dated the 18th of last Month humbly Offering to His Majesty for His Royal Approbation a Draught of an Additional Instruction prepared by the Lords Commissioners for Trade and Plantations, for George Earl of Orkney His Majestys Lieutenant and Governor General of the Colony and Dominion of Virginia in America, And in his Absence is the Lieutenant Governor or Commander in Chief of the said Colony and Dominion for the time being, to recommend to the Council and Assembly there, to renew for the space of ten years, that part of an Act past in the Year 1720, For erecting two new Counties called Spotsylvania and Brunswick and for granting certain exemptions and benefits to the Inhabitants thereof. whereby the Minister Elders and Members of a German Lutheran Congregation settled in the Prince of Georges County formerly called Spotsylvania County in the said Colony, were exempted from the payment of all Parochiall Dues and Charges

J. 18. [1752]

To the Right Honourable
the Lords Commissioners for
Trade and Plantations.

My Lords

In Obedience to Your Lordships Commands signified to me by Mr. Popples Letter, I have considered the Thirteen following private Acts, Passed at Virginia in 1752. Entituled.

An Act to Confirm and Establish an Agreement therein mentioned, between Thomas Bray Gentleman and John Randolph Esquire, for the Settlement of their respective Rights to certain Lands, whereof David Bray the Elder Gentleman deceased, Died seized, and for other purposes therein also mentioned.

An Act for Vesting certain Entailed Lands with the appurtenances therein mentioned, in Thomas Turner, in Fee simple; and for selling other Lands and Negroes of greater Value, to the same Uses.

An Act for Vesting certain Entailed Lands in John Allen Gentleman, in Fee simple, and for selling other Lands and a Mill of greater Value, to the same Uses.

An Act to Enable Charles Barham to sell certain Entailed Lands therein mentioned, to Purchase other

Lands therein mentioned, to be settled in lieu thereof to the same uses.

An Act for vesting certain Entailed Lands with their Appurtenances in the County of Northampton, in Gertrude Harmanson in Fee Simple, and for settling other Lands and Negroes of greater Value in lieu thereof, to the same uses.

[1742] An Act for Vesting Three hundred Acres of Land with the Appurtenances, in the Parish of Washington in the County of Westmorland, whereof George Hedon is Seised in Fee Tail, in John Washington Gentleman in Fee Simple, and for settling other Lands of greater Value to the same uses.

An Act to confirm and Establish an Agreement between Richard Coleman, William Thornton and Francis Thornton, for the Exchange of certain Entailed Lands therein mentioned, and for settling the same with certain Negroe Slaves, according to the Will of the Donors.

An Act for Vesting Two Hundred Acres of Land with the Appurtenances, in the Parish of Littenburn in the County of Richmond, whereof William Wilson Holmes and Mary his Wife, in right of the said Mary, are Seised in Fee Tail, in Richard Barnes in Fee Simple, and for settling other Lands and Negroes of greater Value to the same uses.

92

an Act for confirming certain Entailed Lands therein mentioned, to William Meriwether, in Fee Simple, and for settling other Lands and Negroes in lieu thereof to the same Uses.

An Act to Enable Thomas Gray Gentleman, to sell certain Entailed Lands therein mentioned, and to lay out the Purchase Money in Slaves, to be annexed to other Entailed Lands therein also mentioned.

An Act to confirm certain Entailed Lands therein mentioned, with the Appurtenances, to John Taylor Esquire in Fee Simple; and for settling other Lands and Negroes therein also mentioned, of greater Value, in lieu thereof to the same Uses.

An Act to settle certain Entailed Lands with the Appurtenances, in the County of Essex, whereof William Lavy and Mary his wife, in right of the said Mary, are Seised; upon the Issue of the said Mary, by her last Marriage; and for settling other Lands in lieu thereof to the same Uses.

An Act for Vesting Four hundred and Twenty Acres of Land with the Appurtenances, in the County of Westmorland, being Intailed in George Turberville Gentleman, in Fee Simple, and for confirming a Settlement of One Thousand Acres of Land with the Appurtenances, in the County of Stafford, of greater Value, to the same Uses.

All which Acts I begg Leave to Observe to Your Lordships, are for Confirming Agreements, which have been made between Parties for the Exchange of Lands and for Settling where any of the Lands exchanged are Entailed, Lands of as great or greater Value to the same Uses. This is a Method of proceeding very common in the Plantations, and often attended with great Conveniency to particular Families; And I know of no Objection to it; provided the Legislature is careful that no prejudice be done in the Exchange, to such Estates as are by Deed or Will Entailed. It is recited in all the Acts, That the Lands settled to the same Uses as the Entailed Lands are of as great or greater Value.

But upon a strict Examination of the Acts, I found that the Quantities of the Acres of Land, Exchanged for the Entailed Lands in some of the Acts, were less in Number than the Entailed Lands; and consequently judged, that they might not be of equal or greater Value. But Sir John Randolph, who has attended me upon these Acts, has endeavoured to Answer my Objection in his Letter of the Twelfth of April, which I have annexed to my Report, and begg Leave to Refer thereto; Wherein he says to obviate this Difficulty, that the Lands

in Virginia | are of no certain yearly Value, but are Es^[p. 108]
timated just as Schattells are; so that one Acre being,
on Account of its goodness, sometimes of more Value than
ten of Barren Land, no Regard is to be had to the
Number of Acres. He also verifies that before these
Acts passed, the Assembly of Virginia made a regu
lar and strict Enquiry into all the matters suggest
ed therein; and found them proved to their
Satisfaction.

Which is humbly submitted to Your Lord
ships great Wisdom. I am

My Lords

Your Lordships most
Obedient humble Serv^t

Tran: Lane.

May 7th 1733.

Endorsed. Virginia. / W^t Lane's Report / upon^[p. 109]
13 Private Acts / passed in Virginia in / 1730 & 1732. /
Recd 7th May 1733 / S: 18. — / 11.
Read June 26th 1733

Sir

[p. 149]

When you perused the several Private Bills passed in the General Assembly of Virginia in the year 1732 referd to you by the R^t Hon^{ble} The Lords Commissioners for Trade and Plantations, You observed a Difference in the Number of Acres between the Settled Lands and those that were Entaild: To Obviate that Difficulty I acquainted you that our Lands in Virginia are of no certain Yearly Value but are estimated just as Whittels are; so that Our acre being on Account of its Goodness some times of more Value than ten of barren Land, No regard is to be had to the Number of Acres.

And I do further assure you that the General Assembly before they passed those Bills, made a regular and strict Enquiry into all the matters suggested therein, and found them proved to their satisfaction.

I am with great respect

Sir

Your most Obedient Servant

John Randolph.

April 12th 1733

To Francis Lane Esq^r

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAMENTARY OFFICE
66

To the R^t Honourable^[1730]
the Lords Commissioners
for Trade and Plantations,

My Lords

In Obedience to Your Lordships Commands
signified to me by M^r Popple's Letter, I have con-
sidered the Four following private acts passed in
Virginia in 1730.

An Act for vesting certain Intailed Lands
in William Randolph an Infant, which were
purchased by his Father Thomas Randolph Gent.
Deceased of John Sutton Esq^r, And for settling
other Lands and Negroes given in lieu thereof
of greater Value to the same uses.

An Act to confirm the Title of Richard
Randolph Gent. in and to certain Intailed Lands
purchased by him of William Ligon, And
for settling other Lands, And two Negro Slaves
of greater value in lieu thereof, to the same uses.

An Act to Enable Henry Cary to sell
certain Intailed Lands in the County of War-
wick, And for settling 306 Acres of Land with
the appurtenances in the County of Henrico,
And the Moisty of 3942 Acres of Land with
the appurtenances in the County of Goochland
of Greater value to the same uses.

An Act to confirm the sale of certain
Intailed Lands in the County of King William
made by John Douglass to John Frazer in Fee
Simple, and for settling other Lands in the Coun-
ty of Brunswick And two Negro Slaves of greater
value to the same uses.

And as no prejudice is done to the
right of any persons whatsoever. If the Allegations
of the Acts are true; But is a Manifest Advantage
to the persons whose Intailed Estates are Destroy'd
by settling Lands of greater Value to the same
uses. And as all the proper saving Clauses are
Inserted in the said Acts I have no Objections in
Point of Law to any of them; Which is
Humbly Submitted By
My Lords,

Your Lordships Most
Obedt. Humble Servt.

Gran: Fane.

May 2^d 1732.

Endorsed. Virginia. / W. Fane's Report / on 4 private
Acts passed / in Virginia in 1730, with / no Objections to any
of them. - dated May 3^d / 1732. / Rec^d May 8th / 1732 / S: 19th /
Read Aug: 8 - / 1733

At the Court at St. James's

the 1st day of November 1733

Present

The Kings most Excellent Majesty

Whereas the Lieutenant Governor of His Majesty's Province of Virginia with the Council and Assembly of the said Province did in the Year 1730 pass an Act Intituled

"An Act for Vesting four hundred and twenty
"Acres of Land with the Appurtenances in the
"County of Westmoreland, being entailed in
"George Turberville Gentleman in Fee Simple
"and for Confirming a Settlement of one Thou.
"sand Acres of Land with the Appurtenances
"in the County of Stafford of greater Value
"to the same uses. —————

And Whereas the said Act together with a Representation from the Lords Commissioners for Trade and Plantations thereupon have been referred to the Consideration of a Committee of the Lords of His Majesty's most Honorable Privy Council for Plantation Affairs — The said Lords of the Committee did this day Report their Opinion to His Majesty that the said Act was proper to be approved — His Majesty in Council taking the

same into Consideration was graciously pleased to
declare his Approbation of the said Act. And fur.
suant to His Majestys Royal Pleasure thereupon Ex.
pressed the said Act is hereby confirmed finally
Enacted and Ratified accordingly — Whereof the
Governor Lieutenant Governor or Commander in
Chief of His Majestys Province of Virginia for the
time being and all others whom it may concern
are to take Notice and Govern themselves according.
by _____ A true copy.

W. Sharpe

^(P. 170) Like Orders were this day made and issued
for confirming the following Private Acts past in
the Province of Virginia in the Year 1732

An Act to confirm and Establish an agree.
ment therein mentioned made between Thomas
Bray Gent: and John Randolph Esq: for the
settlement of their Respective Rights to certain
Lands, whereof David Bray the Elder Gent: de.
ceased died seized and for other purposes
therein also mentioned —

An Act for vesting certain entailed Lands in
John Allen Gent: in fee simple and for settling
other Lands and a Mill of greater Value to
the same uses —

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAMENTARY DIVISION
15

An Act for Vesting certain entailed Lands with the Appurtenances therein mentioned in Thomas Turner, in Fee Simple and for settling other Lands and Negroes of greater Value to the same uses —

An Act to enable Charles Barham to sell certain entailed Lands therein mentioned and to purchase other Lands therein also mentioned to be settled in lieu thereof to the same uses.

An Act for Vesting certain entailed Lands with the Appurtenances in the County of Northampton in Gertrude Harmanston in Fee Simple and for settling other Lands and Negroes of greater Value in lieu thereof to the same uses —

An Act for vesting three Hundred Acres of Land with the Appurtenances in the Parish of Washington in the County of Westmoreland, whereof George Weedon is seized in Fee Tail in John Washington Gentleman in Fee Simple and for settling other Lands of greater Value to the same uses

An Act to confirm and Establish an Agreement between Richard Coleman, William Thornton, and Francis Thornton for the Exchange of certain entailed Lands therein mentioned and for settling the same with certain Negroe Slaves according to the Will of the Donors —

An Act for vesting two hundred Acres of Land with the Appurtenances in the Parish of Littenburn in the County of Richmond, where of William Wilson Holmes and Mary his Wife in Right of the said Mary are seized in Fee Tail in Richard Barnes in Fee Simple and for settling other Lands and Negroes of Greater Value to the same uses —

An Act for confirming certain entailed Lands therein mentioned to William Meredith in Fee Simple and for settling other Lands and Negroes in lieu thereof to the same uses —

An Act to Enable Thomas Bray Gent: to sell certain entailed Lands therein mentioned and to lay out the purchase money in Slaves, to be annexed to other entailed Lands therein also mentioned —

An Act to confirm certain entailed Lands therein mentioned with the Appurtenances to John Tayloe Esq: in Fee Simple and for settling other Lands and Negroes therein also mentioned of Greater Value, in lieu thereof to the same uses —

An Act to settle certain entailed Lands with the Appurtenances in the County of

Essex whereof William Lowry and Mary his
Wife in Right of the said Mary are seized, up-
on the Issue of the said Mary by her last
marriage and for settling other Lands in lieu
thereof to the same uses. —

[Lowry and
Mary's Heirs]

W. Sharpe

Endorsed. Virginia. | Order in Council, | of Nov^{br} 1st 1733, Approving | several Representations of this |
Board for confirming one ^{Private} Act | passed in Virginia
in 1730 | and 12 ^{more Private} Acts passed in the same Colo.
ny in 1732. | ^{Rec^d} _{Read} } Dec^r 30th 1733 | S: 22. | 22

(p. 75)
8:23.

At the Court at St. James's

the 29th day of November 1733

Present

The Kings most Excellent Majesty

Lord Chancellor

Bishop of London

Lord President

Lord Harrington

Earl of Scarborough

Horatio Walpole Esq:

Earl of Siltkirk
(20)

S^r. Charles Wager

Lord Harvey

Whereas the Lieutenant Gov^r of His Majesty's
Province of Virginia with the Council and As-
sembly of the said Province Did in the Year
1730 pass an Act Intituled —

An Act for Vesting certain intailed Lands
in William Randolph an Infant which were
purchased by His Father Thomas Randolph
Gentleman deceased, of John Sutton Farrar and
for settling other Lands and Negroes given in
lieu thereof of greater Value to the same uses.

And Whereas the said Act together with
a Representation from the Lords Commissioners for
Trade and Plantations thereupon have been re-
ferred to the consideration of a Committee of the
Lords of His Majesty's most Hon^{ble} Privy Council
for Plantation Affairs — The said Lords of the
Committee did this day report their Opinion

to His Majesty that the said Act was proper to be
approved - His Majesty in Council taking the
same into consideration was graciously pleased
to declare his approbation of the said Act and
pursuant to His Majesty's Royal pleasure there-
upon Expressed the said Act is hereby confirmed
finally Enacted and Ratified Accordingly:- Whereof
the Governor Lieutenant Governor or Commander
in Chief of his Majesty's Province of Virginia for
the time being and all others whom it may
concern are to take Notice and Govern them-
selves accordingly — A true Copy
W. Sharpe

Like Orders were this day made and is-
sued for Confirming the following Acts past in
the Province of Virginia in the Year 1730 —

An Act to confirm the Title of Richard
Randolph Gent in and to certain intail-
ed Lands Purchased by him of William Ligon
and for settling other Lands and two Negro
Slaves of greater Value in lieu thereof to
the same uses —

An Act to Enable Henry Cary to sell cer-
tain intailed Lands in the County of Warwick
and for settling three hundred and six Acres

of Land with the Appurtenances in the County
of Henrico and the Moity of Three thousand
Nine hundred and forty two Acres of Land with
the Appurtenances in the County of Goochland of
greater Value, to the same uses —

An Act to confirm the Sale of certain
intailed Lands in the County of King Wil.
:liam made by John Douglass to John Frazer
in Fee Simple and for settling other Lands
in the County of Brunswick and two Ne.
:grove slaves of greater Value to the same uses.

W Sharpe

Endorsed. Virginia. / Order in Council / of
29th Nov: 1733 Approving / & Representations of this
Board / for confirming & private Acts / of Virginia
passed there in 1730. / ^{Recd} } Dec: 20th 1733. / S: 23- /
Read }

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION OF THE HOUSE OF COMMONS
432
Virginia September 12th 1733. ^{24th 1777}

My Lords

In Obedience to Your Lordships commands for sending Annually the best and most particular Account I can of the Laws made, the manufactures sett up, and the Trade carried on in this Colony, which any way affect the Trade, Navigation or Manufactures of Gt. Britain, I humbly take leave to Represent to Your Lordships, that I know no Law subsisting in this Government, which can in any sense be said to affect the British Trade.

As to Manufactures sett up, Wee have at York Town upon York River one poor Potters Work for Earthen Ware, which is so very inconsiderable that I dare say there has not been forty Shillings worth less of that Commodity imported since it was Erected, than there was before; the poorest Families being the only Purchasers, who not being able to send to England for such Things would do without them, if they could not gett them Here.

There are four Iron Works in this Colony, but as these are Employed in Running of Pigg Iron, which is sent to Gt. Britain to be Forged, they are rather beneficial to the Trade, than inconsistent with its Interest: Forges to make Barr

Iron to send Home they have long talked of,
and it would be some satisfaction to the Per-
sons concerned, if they knew whether they
would be allowed, provided, none of it is manu-
factured Here. And if they are to be confined
to Pig Iron only, it will be proper to restrain
them from Running of Potts, Bases and Andirons
for Fire-places which as they find a sale for them,
they don't scruple to make.

There is one Air Furnace now at Work
belonging to Col^o Spotswood which has cost him
a great deal of money.

We have lately had many Attempts made
towards the discovery of Tin and Copper Mines,
and there are several shafts already Opened of
the latter with encouraging Veins of that Met-
al, but as yet with no great success; the Tin
Mines they begin to boast of were discovered
since my Letter to your Lordships of the 5th of
October last upon this Subject, so that they are
got no further than the surface.

As to Trade upon the strictest Inquiry,
which I have always made, I can discover none
carried on, to, or from this Dominion, but with
Great Britain, the British Islands in the West In-
dies, and the Island of Madeira. Our Exports

REPRODUCED FROM THE COLLECTIONS OF THE MANSFIELD PAPERS
for Great Britain are so well known, I need only to observe, that all the Labour of the People and their Slaves on Tobacco, Pitch and Tarr, and such Skins and Furs as are purchased of the Indians are carried Thither, and returned from Thence in Goods and Necessaries for the Inhabitants; And though the chief Commodity, Tobacco, has for some years past been so low that it would hardly afford subsistence for those employed in the making of it, and consequently the Consumption of British Manufactures much lessened, yet I don't doubt, the present Law for amending that Staple as it has begun will continue effectually to remove that Misfortune, and raise it to so good a Price, that the Planters will be diverted from any kind of Manufactures to supply their Wants.

I must not neglect to inform Your Lord-
ships again, that as the People of New Eng-^{land} apply themselves to Manufactures more than any other of the Plantations, and have made great Improvements in all sorts of Mechanick Arts, they are constantly sending to the other Colonys not only Escritors, Tables, Chairs and other wooden Manufactures, but from their Iron-works, Axes, Hoes, and all other Utensils, which if not prevented

will do great Damage to the Trade and Manu-
factures of our Mother Country. And my
Lords, unless it be this Trade which daily
Emcreases, I know of none Entered into here,
besides what hath been mentioned, that has
any Tendency to Prejudice the Trade Navigation
or Manufactures of Great Britain.

I am

My Lords

Your Lordships most dutiful
and faithful humble servant

William Gooch

[p. 100]
Endorsed. Virginia / Letter from Mr. Gooch /
dated 12th Sept. 1733, relating to / the Trade and Manu-
factures / of Virginia. / Recd 21st Nov. } 1733 / S: 27. / ~~Ex~~ G.
Read 15th Jan. 1734.

The Acco^t of his Majesty's Revenue of 2^d phogheads rising within this
 Colony of Virginia from the 25th of October 1732 to the 25th of April 1733.

1733
 S:29

The Receiver General doth charge himself with the Receipt of the said Revenue as follows	
To Balance of the last Acco ^t	£9779 15 9
The Acco ^t of the Upper District of James River.....	58 9 1 $\frac{1}{2}$
The Acco ^t of the Lower District of James River.....	87 8 7
The Acco ^t of the District of York River.....	53 16 1
The Acco ^t of the District of Rappahannock River.....	46 19 -
The Acco ^t of the District of South Potomack.....	80 19 1 $\frac{1}{2}$
The Acco ^t of the Port of Accomack.....	37 19 5 $\frac{1}{2}$
The Acco ^t of Sundry Rights of Land sold.....	113 16 10
The Acco ^t of Fines and Forfeitures.....	
	£10,259 3. 11.

The Receiver General doth Discharge himself
 by the Payments of the following Sums.

By a Warrant for half a Years Salary to the Governor....	£1000 - -
By a Warrant for half a Years Salary to the Council....	175 - -
By a Warr ^t to the Judges & other Officers of a Court of Oyer & Terminer	100 - -
By a Warrant for half a Years Salary to the Auditor of the Plantations.....	50 - -
By a Warrant for half a Years Salary to the Solicitor of the Virginia Affairs.....	50 - -
By a Warrant for half a Years Salary to the Attorney General	20 - -
By a Warrant for half a Years Salary to the Clerk of the Council.....	50 - -

By a Warrant to the Ministers attending One General Court	6	-	-
By a Warrant for half a Years Salary to the Armourer.....	6	-	-
By a Warrant for half a Years Salary to the Gunners of the Batteries.....	20	-	-
By a Warrant for Repairs done to the Governors house..	41	4	-
By a Warrant for contingent charges.....	662	14	11
By Allowance to the Auditor at 5 p ^{ts} on £479..8..2.....	23	19	4 ³ / ₄
By Allowance to the Receiver General on the same sum	23	19	4 ³ / ₄
So that the sum Disbursed amounts to....	£2228	16	11
And there will remain due to Balance this Acct.	8030	7	-
	£10259	3	11

John Grymes Rec^d Gen^l

June 14th 1733

[1493]

I have Examined the within Acc^t of his Majesty's Revenue commencing the 25th of October 1732 and Ending the 25th of April 1733 and have compared every Article with its proper Voucher produced by John Brynes Esq^r Receiver General and find the Charge thereof amounting to Ten Thousand two hundred fifty nine Pounds three shillings and eleven pence and the Discharge to Two Thousand two hundred twenty eight Pounds sixteen shillings and eleven pence both truly stated so that there is due to his Majesty's Revenue for Balance of this Acc^t Eight Thousand and thirty Pounds seven shillings Sterling.

John Blair Esq^r and?

June 14th 1733.

The within Acc^t compared and Examined by John Blair Esq^r Deputy Auditor was produced to me in Council and sworn to by John Brynes Esq^r Receiver General

William Gooch

[P 302]
Endorsed. Account of the Revenue / of Dist Rents 2^d p
Hogshd / on Tobacco for $\frac{1}{2}$ a year / ending April 28th 1733 /
referred to in Maj^r / Crook's letter of 15 July 1733. /
Rec^d Sept. 12th } 1733
Read Janry 15 }

[P 303]
[Also, on a separate leaf to include the Quakers] Virginia / Acc^t of
the Revenue of 2^d p Hogshd on Tobacco / for $\frac{1}{2}$ a year,
and of Dist Rents / for a whole year ending / in
April 1733. / Referred to, in Maj^r Crook's / Letter of 15th
July 1733. / Rec^d Sept. 12th } 1733 / S: 29.
Read Janry 15th }

The Acco^t of his Majesty's Revenue of Duties &c from the 25th of April 1732^[A 497]
to the 25th of April 1733 arising within this colony of Virginia. S: 29^{and}

The Receiver General doth charge himself
with the Receipt of the said Revenue as follows.

To Ballance of the last Acco ^t	£ 3833..	10..	6
To the Quittrents of the Northern Neck for the Year 1732	6..	13..	4
To the Acco ^t of Compositions for Escheated Lands	7..	1..	8 ¹ / ₂

Quitrents for the Year 1732.

[illegible]

Brought Over..... £ 7182 7 10½

Arrears of Quitrents paid in the Year 1732

Counties Names	Number of Acres paid for	Paid for in Money or Tobacco	Allowance for Tobacco due to the people after said allowances	Sold at £ 100	Paid in Money and Amount of the Tobacco sold
Caroline.....	950	£ 0. 17 - 10	£ 0. 1. 10½	.....	£ --- 17. 1½
Charles City.....	70	£ 0. 1. 5	£ 0. 0. 1½	.....	1. 3½
Edin ^g City.....	50	£ 0. 1. -	£ 0. 0. 1½	.....	10½
Essex.....	2181½	£ 2. 3. 7½	£ 0. 4. 4½	.....	2 19 3½
Gloucester.....	2627½	£ 2. 12. 6½	£ 0. 5. 3	.....	27. 3½
Goochland.....	202148	£ 202. 2. 11½	£ 20. 4. 3½	.....	181. 18. 8
Hanover.....	730	£ 0. 14. 7½	£ 0. 1. 5½	.....	12. 1½
James City.....	100	£ 0. 2. -	£ 0. 0. 2½	.....	1. 9½
Isle of Wight...	380	£ 0. 7. 7½	£ 0. 0. 9	.....	6. 10½
King & Queen...	5950	£ 5. 19. -	£ 0. 11. 10½	.....	57. 1½
Norfolk.....	851	£ 0. 17. -½	£ 0. 1. 8½	.....	15. 4
Northampton...	1000	£ 1. - - -	£ 0. 2. -	.....	12. -
New Kent.....	1415	£ 1. 8. 3¾	£ 0. 2. 10	.....	1. 5. 5½
Prince George.....	450	£ 0. 9. -	£ 0. 0. 10½	.....	8. 1½
Surry.....	100	£ 0. 2. -	£ 0. 0. 2½	.....	1. 9½
Warwick.....	800	£ 0. 16. -	£ 0. 1. 7½	.....	4. 4½
York.....	3790	£ 3. 15. 9½	£ 0. 7. 7	.....	38. 2½
					201. 4. 9½
					£ 7384 2 7½

[1733]

The Receiver General doth Discharge himself		
By paid on his late Majesty's Warrant to the Assignee of Henry Rainsford Esq: for £500 p Annum for 21 Years from Midsummer 1717 One Years Annuity to Ladyday 1733...	£ - 500 -	
By two Warrants to the Commissary for a Years Salary Ending this day	100 - -	
By two Warrants to the Attorney Gen: for a Years Salary Ending this day	60 - -	
By Allowance to the Receiver General of 5½ p 6: on £3351 .. 1.. 3 Received in Current Money to Enable him to remit the same to London by Bills of Exchange	182 9 11½	
By Allowance to the Auditor @ 5 p 6: on £3550 .. 12.. 1½...	177 10 7½	
By Allowance to the Receiver General on the same Sum	177 10 7½	
So that the Sum Disbursed amounts to	£ 1203 11 12½	
And there will remain due to Balance this Acco:.	6180 11 6	
	£ 7384 2 7½	

John Grymes Rec: Genl.

[P. 202]
June 14th 1733.

I have Examined the within Acc^t of his Majesty's Revenue commencing the 25th of April 1732 and Ending the 25th of April 1733 and have compared every Article with its proper Voucher produced by John Brymes Esq^r Receiver General and find the Charge thereof Amounting to Eleven Thousand three hundred eighty four Pounds two shillings seven pence three farthings and the Discharge to One Thousand two hundred and three Pounds eleven shillings and one penny three farthings both truly Stated. So that there is due to his Majesty's Revenue for Ballance of this Acc^t Six Thousand one hundred and eighty Pounds eleven shillings and six pence Sterling.

John Blair Esq^r Aud^r

June 14th 1733.

The within Acc^t compared and Examined by John Blair Esq^r Deputy Auditor was produced to me in Council and sworn to by John Brymes Esq^r Receiver General.

William Gooch

Endorsed. Virginia. / Acc^t of the Revenue / of
Dut^y Rents for one / Year ending April 25 / 1733 /
referred to in Maj^r Gooch's letter of 15 / July 1733 /

Rec^d Sep^r 12th } 1733
Read Jan^y 15

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAMENTS OF GREAT BRITAIN
Virginia July 13th 1734. S. 40. [p. 17]

My Lords

The sole Occasion of my giving your Lordships this trouble is to Inclose the Acc^{ts} of His Majestys Revenue, and the Lists of Ships entred and cleared since my last Dispatch of this kind. These I hope will afford your Lordships an agreeable View of the Revenue and Trade of this Colony upon which the support of the Government and the Prosperity of the Subject depend.

I shall defer sending the Council journals until I can accompany them with those of the Assembly which is to sitt the 22^d of next Month that I may not give your Lordships unnecessary Interruptions when there are nothing in them but what is common to be treated of.

I am with the Duty and Respect which become me

My Lords

Your Lordships

Most faithful and most
obedient humble Servant

William Gooch

[Endorsed]

⁶⁷²⁴² Endorsed. Virginia / Letter from Maj^r Gooch, / Lieut-
Governor of Virginia / to the Board, dated y^e 13th July / 1734,
transmitting the Accounts / of His Majesty's Revenue, & the
List of Ships Enter'd & Clear'd / at the sev^l Ports in that
Colony. / Rec^d Sept^r y^e 17th } 1734. / S: 40. / Abstr / t.
Read August 13th 1735

The Acco^t of his Majestys Revenue of 2^d p^othead ye^r ending within this Colony of Virginia from the 25th of October 1733 to the 25th of April 1734. [P 41] S: 41.

The Receiver General doth charge himself with the Receipt of the said Revenue as follows			
To Ballance of the last Acco ^t	£ 7780.	16	11 1/2
The Acco ^t of the Upper District of James River	122.	12	2 1/2
The Acco ^t of the Lower District of James River	155.	3	1 1/2
The Acco ^t of the District of York River	60.	14	1
The Acco ^t of the District of Rappahannock River	34.	2	7 1/2
The Acco ^t of the District of South Potomack	114.	10	3 1/2
The Acco ^t of the Port of Accomack	48.	5	5 1/2
The Acco ^t of Sundry Rights of Land sold	267.	3	11 1/2
The Acco ^t of Fines and Forfeitures	9.	-	9 1/2
	£ 8592.	9	6 1/4

The Receiver General doth Discharge himself by the Payment of the following Sums.			
By a Warrant for half a Years salary to the Governor ..	£ 1000.	-	-
By a Warrant for half a Years salary to the Council ..	300.	-	-
By a Warrant to the Judges & other Officers of a Court of Oyer & Terminer	100.	-	-
By a Warrant for half a Years salary to the Auditor of the Plantations	50.	-	-
By a Warrant for half a Years salary to the Solicitor of the Virginia Affairs	50.	-	-
By a Warrant to the Attorney General for salary & additional salary to this day	60.	-	-

By a Warrant for half a Years salary to the clerk of the council	50	—	—
By a Warrant to the Ministers Attending One General Court.	4	—	—
By a Warrant for half a Years salary to the Armourer.....	6	—	—
By a Warrant for half a Years salary to the Gunners of the Batteries...	20	—	—
By a Warrant for Repairs done to the Governors house....	79	13	8
By a Warrant for contingent charges	401	1	1
By a Warrant to the Adjutant for his salary from the 25 th of October 1732	225	—	—
By allowance to the Auditor w ^{ch} p ^{ay} £811. 12. 6 ¹ / ₂	402	11	7 ¹ / ₂
By allowance to the Receiver General on the same sum....	402	11	7 ¹ / ₂
So that the sum Disbursed Amounts to	£2426	18	—
And there will remain due to Ballance this Acc ^t	6165	11	6 ¹ / ₂
	£8592	9	6 ¹ / ₂

John Brynes Rec^d Genl

May 4th 1734

[p 262]

I have Examined the within Acco^t of his Majestys Revenue commencing the 25th of October 1733 and Ending the 25th of April 1734 and have compared every article with its proper Voucher produced by John Grymes Esq^r Receiver General and find the Charge thereof amounting to Eight Thousand five hundred ninety two Pounds nine shillings and six pence farthing and the Discharge to Two Thousand four hundred twenty six Pounds eighteen shillings both truly stated so that there is due to his Majestys Revenue for Ballance of this Acco^t six Thousand One hundred sixty five Pounds Eleven shillings and six pence farthing Sterling.

John Blair D. aud^r

May 4th 1734

The within Acco^t compared and Examined by John Blair Esq^r Deputy Auditor was produced to me in Council and sworn to by John Grymes Esq^r Receiver General
William Goch

The Acco^t of his Majesty's Revenue of Quitrents &c from the 25th of April 1733 to the 25th of April 1734 arising within this Colony of Virginia. S. 42. ^(p. 267)

The Receiver General doth charge himself
with the Receipt of the said Revenue as follow:

To Ballance of the last Acco ^t	£ 6182 11 0
To the Quitrents of the Northern Neck for the Year 1733...	6 13 4
To the Acco ^t of Compositions for Excheated Lands.....	1 11 3

Quitrents for the Year 1733.

Counties Names	Number of Acres paid for	Paid for in Money or Tobacco	Allowance for Tobacco due to the people after said Allowance	Sold at	Paid in Money and Amount of the Tobacco sold
Accomack.....	13195	£ 13-3-10 ¹ / ₂	£ 1-6-4 ¹ / ₂		£ 11-17-6
Ditto.....	215348	51683 ¹ / ₂	10 8 4	44654 ¹ / ₂	8/6 189-15-7 ¹ / ₂
Brunswick.....	146322	£ 146-6-5 ¹ / ₂	£ 14-12-7 ¹ / ₂		131-13-9 ¹ / ₂
Ditto.....	7338	1761	308 4	1183 ¹ / ₂	9/4 5-13-5
Carolina.....	247914	£ 247-12-3 ¹ / ₂	£ 24-15-10		223-2-5 ¹ / ₂
Charles City.....	89394	£ 89-7-10 ¹ / ₂	£ 8-12-9 ¹ / ₂		80-9-1
Elizabeth City.....	33155	£ 33-3-12 ¹ / ₂	£ 3-6-3 ¹ / ₂		29-16-9 ¹ / ₂
Essex.....	130889	£ 130-7-9 ¹ / ₂	£ 12-1-9 ¹ / ₂		117-16-
Gloucester.....	164650	£ 164-13-	£ 16-9-3 ¹ / ₂		148-3-8 ¹ / ₂
Goochland.....					
Hanover.....	250000	£ 250- - -	£ 25- - -		225- - -
Henrico.....	273650	£ 273-13- -	£ 27-7-3 ¹ / ₂		246-5-8 ¹ / ₂
Ditto.....	2134	440 ¹ / ₂	148 4	423	9/4 2- - 6 ¹ / ₂
James City.....	89346	£ 89-6-11	£ 8-12-8 ¹ / ₂		80-8-2 ¹ / ₂
Jale of Wight.....					
King William.....	138342	£ 138-6-10	£ 13-16-8		124-10-2

Countries Names	Number of Acres paid for	Paid for Money or Tobacco	Allowances to the people or Sheriffs	Tobacco due after said allowances	Sold at 10/100	Paid in Money and Amount of the Tobacco Sold
King & Queen						
Middlesex	74282	£ 74. 5. 7 $\frac{1}{2}$	10	£ 7. 8. 6 $\frac{1}{2}$		66. 17. 1
Hancemond	109265	£ 109. 5. 3 $\frac{1}{2}$	10	£ 10. 12. 6 $\frac{1}{2}$		98. 6. 9 $\frac{1}{2}$
Yorfolk	88200	£ 88. 4. -	10	£ 8. 16. 4 $\frac{1}{2}$		79. 7. 7 $\frac{1}{2}$
Ditto	34343	8242	1444	6805	8/6	28. 12. 5
Northampton	13293	£ 13. 5. 10 $\frac{1}{2}$	10	£ 1. 6. 7		11. 19. 3 $\frac{1}{2}$
Ditto	91709	22010	1044	19017	8/4	79. 4. 9
New Kent						
Princess Ann	72945	£ 72. 18. 10 $\frac{1}{2}$	10	£ 7. 5. 10 $\frac{1}{2}$		65. 13. -
Ditto	39281	9427	2084	7240	7/6	27. 3. -
Prince George						
Spotsylvania	641309	£ 541. 6. 2 $\frac{1}{2}$	10	£ 54. 2. 7 $\frac{1}{2}$		487. 3. 7
Ditto	2999	719 $\frac{3}{4}$	1484	594 $\frac{1}{4}$	11/.	3. 5. 4 $\frac{1}{4}$
Ditto	6279	1507	3084	1013	11/.	5. 11. 5
Surry	249756	£ 249. 13. 1 $\frac{1}{2}$	10	£ 24. 12. 6		224. 11. 7 $\frac{1}{2}$
Ditto	6202	1488 $\frac{1}{2}$	2084	1143 $\frac{1}{2}$	9/7	5. 9. 7
Warwick	38862	£ 38. 17. 3	10	£ 3. 17. 9		34. 12. 6
York	69704	£ 69. 11. 1	10	£ 6. 19. 5		62. 11. 8
						2898. 2. 8
						£ 9086. 12. 9

Brought Over..... £908 18 9

[p. 266]

Arrears of Quitrents paid in the Year 1733.

Countries Names	Number of Acres paid for	Paid for in Money or Tobacco	Allowance for the People & Sheriffs	Tobacco due after said Allowances	Sold at 100	Paid in Money or Tobacco
Accomacke.....	630	£ 0.12.7½	10 £ 0.1.3	.....	.....	£ ..... 11. 4½
Ditto.....	1420	.. 3 40¾	10 8 4	.. 29 4½	8/6	.. 1. 5. ¾
Brunswick.....	8663	£ 8.13.3½	10 £ 0.17.4	.....	.....	.. 7. 15. 11½
Caroline.....	750	£ 0.15.-	10 £ 0.1.6	.....	.....	.. 13. 6
Charles City.....	668	£ 0.13.4½	10 £ 0.1.4	.....	.....	.. 12. ½
Elizabeth City.....	50	£ 0.1.-	10 £ 0.0.1	.....	.....	.. 11
Gloucester.....	3147	£ 3.2.11½	10 £ 0.6.3½	.....	.....	.. 2 16. 7½
Henrico.....	1040	£ 1.-9½	10 £ 0.2.3½	.....	.....	.. 18. 6
James City.....	1656	£ 1.13.1½	10 £ 0.3.3½	.....	.....	.. 1. 9. 9½
King William.....	6567	£ 6. 11. 4	10 £ 0.13.1½	.....	.....	.. 5. 13. 2½
Middlesex.....	2500	£ 2.10.-	10 £ 0.5.-	.....	.....	.. 2. 5.-
Nancemond.....	2111	£ 2.2.2½	10 £ 0.4.2½	.....	.....	.. 1. 18.-
Ditto for 1732.....	49701	£ 49.14. ½	10 £ 4.17.4½	.....	.....	.. 44. 14. 7½
Norfolk.....	71022	£ 71.-5½	10 £ 7.2. ½	.....	.....	.. 63. 18. 4½
Northampton.....	1000	..... 240	10 8 4	.. 207.	8/4	.. 77. 3
Princess Ann.....	41898	£ 41.17.11½	10 £ 4.3.9½	.....	.....	.. 37. 14. 2
Ditto.....	20949	.. 5027½	208 4.	.. 3862	7/6	.. 14. 9. 7½
Spotsylvania.....	500	£ 0.10.-	10 £ 0.1.-	.....	.....	.. 9.-
Ditto.....	6047	.. 14 51	14 8 14	.. 1198	11/-	.. 6 11. 9½

Councties Names	Number of Acres paid for	Paid for in Money on Tobacco	Allowance to the People & Sheriff	Tobacco due after said allowances	Sold at per 100	Paid in Money or Amount of the Tobacco Sold		
Warwick.....	800	£0. 16. -	10 £0. 1. 7	-----	-----	14. 5		
York.....	1295	£1. 5. 10 ³ / ₄	10 £0. 2. 7	-----	-----	1. 2. 3 ³ / ₄	196. 17. 6	
							£9289. 16. 3	

[124]

The Receiver General doth Discharge himself

By paid on his late Majesty's Warrant to the Assignee of Henry Rainford Esq ^r for £500 p ^a Annum for 31 Years from Midsummer 1717 One Years Annuity to Ladyday 1734	£.. 500..
By two Warrants to the Commissary for a Years Salary Ending this day	100..
By two Warrants to the Attorney General for Salary & Additional Salary to this day	73. 6. 8
By his Majesty's Warrant dated at St. James's the 6 th day of March 1733 for retaining to my own Use	150..
By Allowance of 2 p ^{cts} on £6313. 2. 6 ⁴ the Sterling Receipt of this and the last Acco ^t of Duties for Negotiating the Bills of Exchange pursuant to the above Warrant	94. 11. 3 ¹ / ₄
By Allowance to the Receiver General of 5 ¹ / ₂ p ^{cts} on £2706. 3. 4 ⁴ received in current money to Enable him to remit the same to London by Bills of Exchange	152. 4. 5 ¹ / ₄
By Allowance to the Auditor of 5 p ^{cts} on £3103. 4. 9	155. 3. 2 ¹ / ₂
By Allowance to the Receiver General on the same Sum	155. 3. 2 ¹ / ₂
So that the Sum Disbursed Amounts to £1317. 2. 10	
And there will remain due to Balance this Acco ^t 7966. 7. 6	
£9283. 14. 3	

John Grymes Rec^r Gen^l

Q¹⁴³
June 19th 1734

I have Examined the within Acco^t of his Majesty's Revenue
commencing the 25th of April 1733 and Ending the 25th of April
1734 and have compared every Article with its proper Voucher
produced by John Grymes Esq^r: Receiver General And find the
Charge thereof Amounting to Nine Thousand two hundred
eighty three Pounds sixteen shillings and three pence and
the Discharge to One Thousand three hundred seventeen
Pounds eight shillings and ten pence both truly Stated
so that there is due to his Majesty's Revenue for Ballance of
this Acco^t seven Thousand nine hundred sixty six Pounds
seven shillings and five pence Sterling.

James Blair D^y Aud^r

June 19th 1734.

The within Acco^t compared and Examined by John
Blair Esq^r: Deputy Auditor was produced to me in Council
and sworn to by John Grymes Esq^r: Receiver General.

William Gooch

[4.173]

Endorsed. Virginia. / Account of his Majesty's / Revenue of
2^d per Hogshead, &c. / arising in Virginia from y^e 25th of / October 1733,
to the 25th of April 1734 / as also, / Account of his Majesty's
Revenue / of Dist-Rents, &c. in Virginia, from the / 25th of April 1733
to y^e 25th of April 1734. / Rec^d with Maj^r Gooch's Letter / of y^e 13th
July 1734 / Rec^d Sept^r 17th } 1734. / S: 41
Read }
no... 42

[124]
S. 42.

The Acco^t. of his Majesty's Revenue of 2^d p^{er} hoghead &c^o Arising within
this Colony of Virginia from the 25th of April 1734 to the 25th of October 1734.

The Receiver General doth Charge himself with
the Receipt of the said Revenue as follows.

To Balance of the last Acco ^t	£ 6165. 11. 6 ²
The Acco ^t of the Upper District of James River	011. 12. 6
The Acco ^t of the Lower District of James River	222. --. 2 ¹
The Acco ^t of the District of York River	1260. 18. -- ¹
The Acco ^t of the District of Rappahannock River	764. --. 6
The Acco ^t of the District of South Potomack	367. 2. 3 ¹
The Acco ^t of the Port of Accomack	
The Acco ^t of Sundry Rights of Land sold	382. 5. 2
The Acco ^t of Fines and Forfeitures	41. 14. -- ¹
	£ 9122. 12. 3 ¹

The Receiver General doth Discharge himself
by the payment of the following Sums.

By a Warrant for half a Years Salary to the Governor	£ 1000. --. --
By a Warrant for half a Years Salary to the Council	300. --. --
By a Warr ^t to the Judges & other Officers of a Court of Oyer & Terminer	100. --. --
By a Warrant for half a Years Salary to the Auditor of the Plantations	50. --. --
By a Warr ^t for half a Years Salary to the Solicitor of the Virginia Affairs	50. --. --
By a Warrant for half a Years Salary to the Attorney General	35. --. --
By a Warrant for half a Years Salary to the Clerk of the Council	50. --. --
By a Warr ^t to the Ministers attending one Gen ^l Assembly or one Gen ^l court	18. --. --
By a Warrant for half a Years Salary to the Armourer	6. --. --

By a Warrant for half a Years salary to the Sumners of the Batteries	22. --	-
By a Warrant for Repairs done to the Governors house	64. 15.	4
By a Warrant for contingent charge	528. 10.	2½
By a Warrant for half a Years salary to the Adjutant	75. --	-
By allowance to the Auditor @ 5 p ^{ts} on £ 3657. -- 9½	182. 17.	-
By allowance to the Receiver General on the same sum..	182. 17.	-
So that the sum Disbursd Amounts to	£ 2664. 19.	6¾
And there will remain due to Balance this Acco ^t	7157. 12.	3½
	£ 9822. 12.	3½

John Brynes Rec^d Genl.

October 31st 1734.

[p32]

I have Examined the within Acco^t of his Majesty's Revenue commencing the 25th of April 1734 and Ending the 25th of October 1734 and have compared every Article with its proper Voucher produced by John Brynes Esq^r Receiver General And find the Charge thereof Amounting to Nine Thousand eight hundred twenty two Pounds twelve shillings and three pence half penny and the Discharge to two thousand six hundred sixty four Pounds nineteen shillings and six pence three farthings both truly stated so that there is due to his Majesty's Revenue for Ballance of the Account Seven Thousand one hundred Fifty seven Pounds twelve shillings & eight pence three farthings Sterling.

John Blair D. Aud^r

October 31st 1734.

The within Acco^t compared and Examined by John Blair Esq^r Deputy Auditor was produced to me in Council and sworn to by John Brynes Esq^r Receiver General.

William Gook

My Lords

S: 43. [p. 170]

The Assembly meet according to their last Provo-
cation the 22^d Instant: I have inclosed my speech &
the addresses that Your Lordships may see how they
are likely to be Employed, with the speech of a new
Speaker occasioned by the resignation of the old one,
on account of his Age and Infirmities.

I am with great Duty & Respect

My Lords

Your Lordships most faithful
and most obedient humble Servant

William Gooch

Virginia

Aug^r 27th 1734

Endorsed Virginia. / Letter from Maj^r Gooch, L^t / Gov^r
of Virginia, dated the 27th of August 1734, transmitting /
Publick Papers. / Rec^d Dec^r 3^d 1734. / Read August 13th 1735. /
S: 43. / With four printed Papers. / ^{abstr} A

[p. 222]

My Lords

The General Court falling out so immediately after the last Session of Assembly, together with my ill State of Health, of which I am but lately Recovered, have delayed much longer than I could have wished, my sending Your Lordships the Journals and Acts of that Session, and the Council Journals; I now gladly embrace this conveyance by the Ship Antelope which gives me the Honour of laying them before Your Lordships, with my Observations thereon hoping the Proceedings of this Assembly will be no less Agreeable to Your Lordships than they are Satisfactory to me.

The several Bills under their Consideration which passed into Acts, and now Accompany this Letter, are as Follow.

N^o 1. Is an Act for Continuing and further Amending the Act for improving the Staple of Tobacco, & Preventing Frauds in His Majesty's Customs

The Preamble of this Act fully declares the Advantages the People and Trade have already Experienced by the Act made in 1730. for subjecting all Tobacco to a public Inspection: But as no Regulation can be so perfect as to obviate all Abuses, or remove all Inconveniences at once, the Assembly have, by / discontinuing some, and removing others of the Warehouses, by lessening the

and for the discouragement of the unrighteous
Practice of taking more than the lawful In-
terest, and reducing the Rate of Interest.

As nothing can be more just than to dis-
courage such unchristian Methods as the taking
Advantage of men's Necessities by exacting exorbitant
Interest; so reducing the same conformable to the
Example of our Mother Country, I hope will not be
judged unbecoming the Care of this Assembly. And
seeing there is Nothing in this Bill but what tends
to these two Ends, I doubt not, it will receive your
Lordships Countenance.

N^o. 6. Is an Act for Amending the Act, En-
titled an Act for settling the Titles and
Bounds of Land, and preventing unlawful
shooting and Ranging thereupon.

This Bill was framed for Remedying some
Defects, and explaining certain Ambiguities in the
Act mentioned in the Title, passed in the year
1705. Such as the making Valid, Dues and Convey-
ances Bona fide made tho' not acknowledged
and recorded within the time limited in the
said former Act, when by that Act all such
Conveyances, tho' made upon good Consideration, were
for that only defect of not being recorded made
Void, even between the Parties themselves.

(p. 305)

Another Inconveniency, and a very great one created by that Act of Assembly was, that no Estates real could be docket any otherwise than by Act of Assembly, which being attended with some difficulty, and no small charge, made it impracticable for poor People to undergo the Expence, contenting themselves rather to live miserable upon a mean Portion of Land left them by their Ancestors under the Clogg of an Entail, than to seek relief at the expence of almost the value of the Land. And as this Misfortune has been observed to fall most severely on the Descendants of the first Planters and Inhabitants of this Colony, it was high time to provide a Remedy. for these Lands having been long Occupied, and frequently divided, according to a prevailing custom, amongst many Children, it could not otherwise happen but the Land must be impoverished, and in consequence, the Possessors of it; Whereas if they had been at liberty to dispose of it to others to whom it lay convenient, they might have been enabled to take up a larger quantity of fresh Land, and to purchase Slaves, to their great Benefit, as well as the Improvement of the Country. This Act therefore Enables all Persons seized in Fee-tail of any Lands not exceeding the Value of two hundred Pounds ster.

and as found by a jury of Inquest, to pass the Fee-simple thereof to any Purchaser for a valuable consideration, by Deed executed and acknowledged or Proved in the General Court here. And upon this Clause, more especially; I am desired by the Assembly very earnestly, to address Your Lordships to Obtain His Majesty's Approbation of this Act, because People will be unwilling to make such Purchases, without that Security for their peaceable Enjoyment, which they can't depend upon whilst the Law continues liable to be Repealed. ^(p. 304) And as there are many poor People now in Possession of such inconsiderable Parcels of Entailed Lands, which are of little or no use to them, it will be a charitable Relief to them, if His Majesty shall be pleased by his speedy Allowance of this Law to give them an opportunity of providing for their Children, by taking up and removing to new Lands, where their Labour may be more profitable to themselves and to the Publick. There are several other Clauses in this Act, such as directing all Mortgages and other Deeds and Settlements which affect Lands Negroes or Chattels to be publicly Registered, or otherwise to be Void, as to subsequent Purchasers or Creditors; Taking acknowledgments of Feme covert in passing of their Estates, by Commission in the County, when they are not able to attend proper Courts for that Purpose.

And the enlarging the time for the Prosecution of real Actions, and prescribing the Methods of proceeding therein; all which, I am assured by Gentlemen that understand these Matters, are as conformable to the Laws of England, as the circumstances of this Country will admit, so that I hope your Lordships will find nothing in it, to hinder your favourable Report of it to His Majesty, as a Law deserving His Royal Confirmation.

N^o 7. Is an Act for better Regulating the Tryal of Criminals for Capital offences.

This Act was chiefly calculated for settling the Method of proceeding in the Courts of Oyer and Terminer held by Virtue of His Majestys Instructions: for when this Court was first Established, it was thought the method of Proceedings in the Supream Court, as to the summoning of Grand and Petty Jurys for the Tryal of offenders, ^[p. 385] was a proper Pattern to be followed in this Court, and so Bills of Indictment were found by a Grand Jury out of the Countys adjacent to Williamsburgh, our Capital City, and only a Venire of six men summoned from the County where the Fact was committed, and the rest made up of by-standers: But as Objections and Exceptions have lately been made and taken to

stop must be put to all Trials in the Courts of Oyer and Terminer, the Council thought it more advisable to agree to this clause, than to obstruct the public Justice.

[p. 36]

N^o. 2.

Is an Act for allowing Indians to be Witnesses in Criminal Offences committed by Indians.

The necessity of such a Law is very apparent from the Nature of Indians, and the manner of their prosecuting their Revenge, which is always in the most secret manner, and impossible to be detected but by their Accomplices, or such of their Nation as they think fit to discover it to: Of this we have a late instance in the case of an Englishman privately Murdered by one of our Tributary Indians whose Body was afterwards found in a Mill-pond, which had never been found out, had not the Brother of the Murderer, who was employed to conceal the Body, discovered it. And tho' the Offender at his Trial, in October last, denied the Fact, yet since his condemnation he has confessed the whole Matter. I mention this case more particularly because as it gave Birth to the Act now under consideration, it will serve to justify the Expediency of introducing this manner of Proof, where it is impossible to have any

other.

Nº 9. Is an Act for the more effectual oblig-
ing Persons to Buy and Sell by Weights and
Measures according to the English Standard.

The Title sufficiently expresses the
honest Intent of the Legislature in discouraging
all fraudulent Practices, as well among the People
of the Country, as Those who come hither to Trade,
and 'tis to be hoped will have its designed Effect.

Nº 10. Is an Act for better Regulating & Collect-
ing certain Officers Fees, and other Purposes
therein mentioned.

This is a temporary Act to continue
only for two Years, and is / intended to give a ^[p 317]
sufficient Recompence to the Clerks of Courts and
other officers for their Services; to prevent Exactions,
and is almost the same as that passed the former
Sessions.

Nº 11. Is an Act for the better Direction of
Officers in the Sale of Goods or other Things
taken in Execution or Distrainted for Rent.

By this Act the severity of a former
Law passed in 1727 in relation to the Sale of
Goods taken in Execution is greatly Mitigated, and
the Debtor upon giving security is restored to his
Goods, and a years time allowed him to discharge

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAM. ARCHIVES

No. 28. An Act for Docketing the Entail of certain Lands in the County of Gloucester and Elizabeth City, and Vesting the same in Henry Willis Gentⁿ in Fee simple; and for settling other Lands and Tenements, and several Slaves to the same Uses.

Which three Bills are to be laid before His Majesty for His Royal Approbation: And as the Intent of the first is to comply with the mind and Design of the late President Carter, tho' he did not live to insert it in his Will, and to do justice to a Widow and Orphans. So the two last have passed with the Consent of all Parties interested in the Entailed Lands mentioned in them, and due Publication hath been made pursuant to His Majesty's Instruction, as will appear by the Certificates sent.

No. 29. An Act to Enable the Nottoway Indians ^[P. 363] to sell certain Lands therein mentioned, and for discharging the Indian Interpreters.

This Act passed upon the Petition of the Nottoway Nation in order to discharge their Debts and to make Provision for the maintenance of their old People. When the Lands mentioned in this Act were first granted them, they were then a numerous Nation, but are since greatly decreased, so that one of the Tracts assigned them is now

sufficient for their support. And the other Indian Nation, the Sappories, on that Frontier being lately removed out of this Government, the Interpreters appointed for them, and paid at the public charge are therefore dropt as unnecessary, which is the whole Purport of this Bill.

No 30. An Act to prevent the Building Wooden Chimneys in the Towns of York and Gloucester, and for pulling down such as are already Built; And to restrain Hogs and Goats from going at large in the Town of York.

On this Act there needs no Remarks, the Title of it sufficiently Expressing the Contents of it.

No 31. Is an Act for Dividing the County of Prince George, and Parish of Bristol, and for adding part of the County of Brunswick to the new erected County.

This Act is found on the same reason as the Others for dividing frontier Counties and Parishes, i.e. their large Extent by many new Settlements and the necessity of Providing for the convenience and Ease of the People; and will be in the course of a few Years the occasion of Erecting many other Counties and Parishes as the Colony increases, and the People find their Interest in seating & improving part of that vast Tract of Land which lyeth now uncultivated on the

has now continued for above seven Years, I doubt
not, the People are so well satisfied with what
has been done and transacted in that time,
that most of the old members will be returned,
or others equally well disposed in their Room.

I am always

My Lords

Your Lordships most dutiful
and most obedient humble servant

William Gooch

Wm Gooch

November 20th 1734.

[p 318]

Endorsed. Virginia. / Letter from Maj^t Gooch, Lieu^t / Gov^r
of Virginia, to the Board / dated the 20th of Nov^r 1734, /
transmitting sev^l publick Pap^{rs} / particularly y^e Acts of
Assembly / pass^d there y^e last sessions with / his Re.
marks & Observations / thereupon. / Rec^d May y^e 1st } 1735. / S: 47
Read August 13th }

To The Right Hon^{ble} The Lords
Commissioners for Trade & Plantations

My Lords

In Obedience to your Lordships commands signified to me by M^r. Popple I have considered the twenty six following Acts passed at Virginia in 1734.

An Act for continuing an Act Intituled an Act for laying a Duty upon Slaves to be paid by the Buyers.

An Act to make void certain Contracts for the paying excessive Mury for the further discouragement of the unrighteous Practice of taking more than the Lawful Interest and reducing the rate of Interest.

An Act for further continuing the Act for making more effectual Provision against Invasions and Insurrections.

An Act for continuing an Act Intituled an Act for laying a Duty on Liqueurs.

An Act for the reliefe of such Persons as have suffered or may suffer by the loss of the Record of Nansemond County lately consumed by Fire.

An Act for more effectually Obliging Persons to buy and sell by Weights and measures according to the English Standard.

An Act for allowing Indians to be Witnesses in Criminal Offences committed by Indians.

| An Act for dividing the County of Prince

S: 54. (P 157)

[P 353]

George and Parish of Bristol and adding part of the County of Brunswick to the new Erected County.

An Act to prevent the building Wooden Chimneys in the Towns of York & Gloucester and for pulling down such as are already built therein and to restrain Hogs and Goats from going at large in the said County of York.

An Act for dividing the Parish of Henrico and for uniting and dividing the Parishes of Newport and Warwickshire in the County of Isle-wight and for other purposes therein mentioned.

An Act to oblige the Justices of James City and York to levy Tobacco for certain Officers of the City of Williamsburg.

An Act for appointing a Treasurer and for other purposes therein mentioned.

An Act for destroying Brows and Squirrels in y^e Northern Neck and on the Eastern Shore.

An Act for raising a Publick Levy and for other purposes therein mentioned.

An Act for appointing several New Ferries and lessning the former rates settled by the Ferrage of Wheel Carriages and altering several Court Days.

An Act for lessning the penalties for killing Deer at unreasonable times and for the better recovery thereof.

26
An Act for continuing & further^[pass] amending an
Act Entituled an Act for amending the Staple of Tobacco
and for preventing Frauds in His Majesties Customs.

An Act for dividing Spotsylvania County.

An Act for better regulating Ordinary keepers
and retailers of strong liquours and to prevent their
giving Credit and to disable them to maintain any
Action or recover any money Tobacco or other Commodi-
ty for such liquours sold upon Credit.

An Act to amend the Laws now in Force for
the more easy and speedy recovery of small Debts.

An Act for the better direction of Officers in
the sale of Goods or other things taken in Exce-
-cution or distrained for rent.

An Act for the better Support & Encouragement
of the College of William and Mary in Virginia.

An Act declaring the Glebe of Elizabeth River
Parish lately purchased to be a sufficient Glebe directing
the sale of several Glebes and for other purposes.

An Act for better regulating the Tryal of
Priminals for Capital Offences.

An Act for amending the Act Intituled an Act
for settling the titles and Bounds of lands and for pre-
-venting unlawful shooting and ranging thereon.

An Act for better regulating and collecting certain
Officers Fees and other purposes therein mentioned.

[P 340] And I humbly certify to Your Lordships that I think they seem to be in general well calculated for the service of this province: But I must shew to Your Lordships that the Act for settling bounds of Lands and for preventing unlawful Shooting and ranging thereon has a blance in it which I think it my Duty to take notice of to your Lordships, tho I have no objection to it. It enables Persons seized in Fee Tail of lands not exceeding the Vallue of 200 Sterling and so found by a Jury of Inquest to pass the Fee Simple thereof to any Purchaser for a valuable consideration by deed executed acknowledged or proved in the General Court there. This method is instituted to save the expence of private Acts of Assembly by w^{ch} Entails have formerly been only barred and as it is limitted to Estates of small vallue and a good method of doing it prescribed I think it very right. but there ought to have been some words in the title of this Act to have shewn there was a Clause of this nature incerted therein.

I am My Lords

Your Lordships most

Obed^t Servant

Wm. Tane.

Nov^r 16th 1735

[P 341]

Endorsed. Virginia. / W^{ch} Tane's Report / upon 26 Acts pass'd in the / Colony of Virginia, in / 1734. / No Objection / Some Remarks / upon one relating to / Entailed Estates / Rec^d Novemb^r 17th } 1735. / S: 54.
Read Janry 27. 1735/6

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAMENTARY OFFICE

S: 55. [P 145]

A List of twelve Persons, who are thought
by the Governour of Virginia, the best
Qualified to supply the Vacancies in
the Council, as Required by his
Sixth Instruction. Feb 15th. 1735.

Henry Armistead

John Allen

Francis Willis

Henry Fitzhugh

Benjamin Harrison

John Lewis

Armistead Churchill, so he spells his Name

Nicholas Meriwether

Lewis Burwell Junr.

Charles Carter

George Braxton

John Robinson

William Gooch

[P 146]

Endorsed. Virginia. / List of Persons recommended
to be of y^e Council of Virg^a / by Maj^r Gooch, Lieut Gov^r
of that Colony, Sept^r 15th 1735 / recd from M^r Lehenp /
Recd } Feb 13: 1735 / S: 55.
Read }

S. 53^(p 35)

To the Right Honourable the Lords
Commissioners of Trade and plantations.

My Lords.

In obedience to your Lordships commands
I have perused and considered the following Act
passed in the province of Virginia in one Thousand
seven hundred and twenty three.

And as to the Act Entituled an Act ap-
pointing a Treasurer and empowering him to Re-
ceive the moneys in the hands of the late Treasur-
er. I have no Objection to it in point of Law,
Only I would observe to your Lordships That it
seems to be now a practice in all the American
Colonies for their respective Generall Assemblies to
assume to themselves the nomination of all Officers
Relating to the Revenue.

As to the Act Entituled an Act directing
the Tryall of Slaves committing Capitall Crimes
and for the more effectuell punishing conspiracies
and Insurrections of them and for the better govern-
ment of Negroes, Mulattoes, and Indians bound or free.

There is in it a short paragraph By
which It is Enacted That from and after the pass-
ing the act no free Negro, Mulatto or Indian
whatsoever shall have any vote at the Election of
Burgesses or any other Election whatsoever.

Altho I agree that Slaves are to be treated in such a manner as the proprietors of them (having a regard to their number) may think necessary for their security yet I cannot see why one Freeman should be used worse than another merely upon account of his complexion I have no Objection to the putting such limits and Conditions upon those persons as may be Infranchized for the future as they please.

But to vote at Elections of Officers either for a County or parish &c is incident to every Freeman who is possessed of a certain proportion of property And therefore when severall Negroes have merited their Freedom and obtained it and by their industry have acquired that proportion of property so that the above mentioned incidentall Rights of liberty are actually vested in them For my own part I am perswaded that it cannot be just by a generall law without any allegation of crime or other demerit whatsoever to strip all free persons of a black complexion (Some of whom may perhaps be of considerable substance) from those Rights which are so justly valuable to every Freeman But I submit the Consideration of this to your Lordships.

As to the severall other following Acts

REPRODUCED FROM THE COLLECTIONS OF THE PARLIAMENTS OF GREAT BRITAIN
25

paid in the same province in the said year
one Thousand seven hundred and twenty three.

Entituled,

An act for the settling and better Re-
gulation of the Militia.

An act for the better securing the pay-
ment of Levies and restraint of vagrant and
idle people and for the more effectual discovery
and prosecution of persons having Bastard Children.

An act for enlarging the jurisdiction of
the Court of Hustings in the City of Willimburgh
within the limits thereof.

An act for raising a publick Levy.

An act for reviving an act Entituled

An act for security and defence of the Count-
ry in times of danger.

An Act for dissolving the parish of Wil-
mington in the Counties of James City and
Charles City and adding the same to other parishes.
And,

An Act for dividing Saint Stephens
parish in the County of King and Queen.

To all which I have no Objection
to their being pass'd into Law. All which
I humbly Certifye to your Lordships

And am

My Lords.

Your Lordships most Obedient
and most humble Servant.

Richd West.

16th Jan^y 1727

[p^{er}]
Endorsed.

Virginia

Mr. West's Report
upon several Acts
pass'd in Virginia in
1723.

Observations on
two of 'em.

Cont'd in 7th List Bk.

Recd 16th Jan^y 1727

Read Novemb^r 28: 1735.

[in another hand] The first Act objected to, is for
appointing a Treasurer, and was
a Temporary Law, long since
Expired; and therefore that Objection
is sunk with the Act.

The 2^d Objection holds good
the Law being Perpetual.

S: 53

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION
Virginia Nov: 5th 1735 S: 56. [P. 56]

My Lords

By the hands of my Lord Fairfax I received the Honour of your Lordships Letter, with a copy inclosed of an Order of His Majesty in Privy Council for appointing Commissioners to Survey and settle the Boundaries of His Lordships Grant. Accordingly we have agreed to nominate Persons on both Parts, who shall set out on that service in the Spring, the properest season in the year for such a Work. And I hope that difficult affair will now be Determined to the Satisfaction of His Majesty, and with all the Favour to Lord Fairfax, which is consistent with His Majestys Interest and Service, wherein my good Offices and Endeavours shall not be Wanting.

I take this Opportunity to transmit to your Lordships the Acct of His Majestys Revenue of two shillings per Hogshead for the last half year, and have nothing further to add, but that I have Proposed the Gentl Assembly to the 5th of February next. I am

My Lords

Your Lordships

Most dutiful and most
obedient humble Servant

William Gooch

¹⁷³⁵
Endorsed. Virginia. | Letter from Major/Lynch, Dated
Nov: 5th 1735 | about settling y: Bounds of | Lord Fairfax's lands
and | inclosing an Act of the | Revenue of 2^d for Hogshol
for $\frac{1}{2}$ the year 1735. | Rec^d Jan: 31st } 1735₆ | S: 56. ^{abstr}
Read March 18: }

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The Acco^t of his Majestys Revenue of 3^d p hogshead &c: arising within
this Colony of Virginia from the 25th of April 1735 to the 25th of October 1735

The Receiver General doth Charge himself with the Receipt of the said Revenue as follows		
To Balance of the last Acco ^t	£ 5829.	-- 9
The Acco ^t of the Upper District of James River	678.	17 10
The Acco ^t of the Lower District of James River	190.	15 10 ¹ / ₂
The Acco ^t of the District of York River	1087.	8. - 3 ¹ / ₄
The Acco ^t of the District of Rappahannock River	768.	19. 8
The Acco ^t of the District of South Potomack	318.	3. 10 ¹ / ₂
The Acco ^t of the Port of Accomack		
The Acco ^t of Sundry Rights of Land Sold	340.	2. - 1 ¹ / ₄
The Acco ^t of Fines and Forfeitures		
	£ 9113.	8. 1

The Receiver General doth Discharge himself

By the payment of the following Sums

By a Warrant for half a Years Salary to the Governor..	£ 1000.	-- -
By a Warrant for half a Years Salary to the Council....	300.	-- -
By a Warrant to the Judges & other Officers of a Court of Oyer & Terminer	100.	-- -
By a Warrant for half a Years Salary to the Auditor of the Plantations	50.	-- -
By a Warrant for half a Years Salary to the Solicitor of the Virginia Affairs	50.	-- -
By a Warrant for half a Years Salary to the Attorney General	35.	-- -

By a Warrant for half a Years Salary to the Clerk of the Council	50. --
By a Warrant to the Ministers attending one General Court	6. --
By a Warrant for half a Years Salary to the Armourer..	6. --
By a Warrant for half a Years Salary to the Gunners of the Batteries	22. --
By a Warrant for Repairs done to the Governor's house	107. 12 11½
By a Warrant for Contingent Charges	229. 10. 6
By a Warrant for half a Years Salary to the Adjutant	75. --
By a Warrant to Thomas Lee Esq:	586. 10. 9
By Allowance to the Receiver General of $\frac{1}{2}$ p ^{ts} on $\pounds 29625.3\frac{1}{2}$ for negotiating the same in Bills of Exchange in London	14. 16. 2½
By Allowance to the Auditor at 5 p ^{ts} on $\pounds 3284. 7. 4$..	164. 4. 4
By Allowance to the Receiver General on the same Sum	164. 4. 4
	$\pounds 9113. 8. 1$

John Grymes Rec^d Genl